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Secretary of State



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Please note: When the Register deadline falls on a State holiday, the deadline becomes 4:30 p.m. on Monday (the day before).

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Conditions of Employment
- 2) Code Citation: 80 Ill. Adm. Code. 303
- 3) Section number: Proposed Action:
303.112 New
- 4) Statutory Authority: Implementing and authorized by the Sick Leave Bank Act (Ill. Rev. Stat. 1991, ch. 127, par. 4251, et seq.)
- 5) A Complete Description of the Subjects and Issues Involved:
The Department is adding this new section to implement the provisions of Public Act 87-822 creating the Sick Leave Bank Act. Under these provisions, State employees are allowed to bank a portion of their accrued sick leave to be used by other employees who have exhausted their accrued vacation time, personal days, sick leave and compensatory time.

The proposed rules are intended to establish a uniform framework within which agencies may establish sick leave banks. After Public Act 87-822 became effective, the Department negotiated Sick Leave Bank procedures with collective bargaining representatives. The proposed rules allow for these procedures and are also intended to accommodate alternative procedures which may be used by other jurisdictions.
- 6) Will this proposed rule replace an emergency rule currently in effect? No.
- 7) Does this rulemaking contain an automatic repeal date? No.
- 8) Does this proposed rule contain incorporations by reference? No.
- 9) Are there any other proposed amendments pending on this Part? No.
- 10) Statement of Statewide Policy Objectives: Rulemaking does not affect units of local government.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit written comments within 45 days of the date of publication to:

Stephen W. Seiple
720 Stratton Office Building
Springfield, IL 62706
(217)782-9669
- 12) Initial Regulatory Flexibility Analysis: Does not apply to small businesses.

The full text of the Proposed Amendment begins on the next page.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENT

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND
POSITION CLASSIFICATIONS
CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 303
CONDITIONS OF EMPLOYMENT

SUBPART A: GRIEVANCE PROCEDURE

Section
303.10 Definition of a Grievance
303.20 Procedure
303.30 Grievance Committee
303.45 Representation

SUBPART B: LEAVE OF ABSENCE

Section
303.90 Sick Leave
303.100 Accumulation of Sick Leave
303.102 Payment in Lieu of Sick Leave
303.105 Reinstatement of Sick Leave
303.110 Advancement of Sick Leave
303.112 Sick Leave Bank
303.115 Veterans Hospital Leave
303.125 Leave for Personal Business
303.135 On-The-Job Injury -- Industrial Disease
303.140 Leaves of Absence Without Pay
303.142 Leave to Attend Union Conventions
303.145 Disability Leave
303.148 Family Responsibility Leave
303.150 Employee Rights After Leave
303.153 Failure to Return
303.155 Leave to Take Exempt Position
303.160 Military and Peace Corps Leave
303.170 Military Reserve Training and Emergency Call-Up
303.171 Leave for Military Physical Examinations
303.175 Disaster Service Leave With Pay
303.180 Attendance in Court
303.190 Authorized Holidays
303.200 Holiday Observance
303.215 Payment for Holidays
303.220 Holiday During Vacation
303.225 Eligibility for Holiday Pay
303.250 Vacation Eligibility
303.260 Prorated Vacation for Part-Time Employees
303.270 Vacation Schedule and Loss of Earned Vacation

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENT

SUBPART C: WORK HOURS AND SCHEDULES

- 303.290 Payment in Lieu of Vacation
303.295 Vacation Benefits on Death of Employee

Section

- 303.300 Work Schedules
303.310 Emergency Shut-Down
303.320 Overtime
303.330 Overtime Payable Upon Death
303.340 Attendance Records
303.350 Notification of Absence
303.355 Review of Attendance Records

SUBPART D: UNDATED OR INCOMPLETE FORMS

Section

- 303.360 Undated Forms
303.370 Incomplete Forms

SUBPART E: EMPLOYEE SEPARATIONS

Section

- 303.380 Reason for Separation
303.385 Repayment of Benefit Time

AUTHORITY: Implementing and authorized by the Personnel Code (Ill. Rev. Stat. 1991, ch. 127, par. 63b101 et seq.)

SOURCE: Filed May 29, 1975; amended at 3 Ill. Reg. 22, p. 78, effective June 1, 1979; amended at 3 Ill. Reg. 26, p. 199, effective July 1, 1979; emergency amendment at 3 Ill. Reg. 48, p. 188, effective January 1, 1980 for a maximum of 150 days; amended at 4 Ill. Reg. 11, p. 70, effective March 1, 1980; amended at 4 Ill. Reg. 15, p. 216, effective March 31, 1980; amended at 4 Ill. Reg. 22, p. 227, effective June 1, 1980; amended at 5 Ill. Reg. 8029, effective August 1, 1981; codified at 7 Ill. Reg. 13209; emergency amendment at 8 Ill. Reg. 329, effective January 1, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 7788, effective May 23, 1984; amended at 14 Ill. Reg. 3433, effective February 27, 1990; emergency amendment at 15 Ill. Reg. 5076, effective March 20, 1991, for a maximum of 150 days; emergency expired August 17, 1991; amended at 15 Ill. Reg. 5214, effective April 2, 1991; amended at 15 Ill. Reg. 14067, effective September 12, 1991; amended at 16 Ill. Reg. 8368, effective May 21, 1992; amended at _____ Ill. Reg. _____, effective _____.

Note: Statutory language is denoted by capital letters

Section 303.112 Sick Leave Bank

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENT

- a) This section contains rules governing the operation of plans allowing participating employees in each Agency to bank portions of their accrued sick leave in a sick leave bank to be used by participating employees in the same agency who have exhausted their accrued vacation time, personal days, sick leave or compensatory time. These rules provide a framework within which each Agency may administer a sick leave bank. Individual Agency procedures should be consistent with the framework set forth in these rules unless alternative procedures have been agreed upon pursuant to collective bargaining negotiations.

b) Definitions

- 1) "AGENCY" MEANS ANY BRANCH, DEPARTMENT, BOARD, COMMITTEE OR COMMISSION OF STATE GOVERNMENT, BUT DOES NOT INCLUDE UNITS OF LOCAL GOVERNMENT, SCHOOL DISTRICTS OR BOARDS OF ELECTION COMMISSIONERS.
- 2) "SICK LEAVE BANK" MEANS A DEPOSITORY INTO WHICH PARTICIPATING EMPLOYEES MAY DONATE ACCRUED SICK LEAVE TIME FOR ALLOCATION TO OTHER PARTICIPATING EMPLOYEES.
- 3) "PARTICIPATING EMPLOYEE" MEANS A PERMANENT FULL- OR PART-TIME EMPLOYEE WHO HAS BEEN EMPLOYED BY A STATE AGENCY FOR A PERIOD OF 6 MONTHS OR MORE WHO VOLUNTARILY ENROLLS IN THE SICK LEAVE BANK BY DEPOSITING AT LEAST ONE FULL DAY OF ACCRUED SICK LEAVE IN THAT BANK. An employee who wishes to enroll must have a minimum of 10 days of accrued sick time on the books.
- 4) "Catastrophic illness or injury" shall mean temporary disability or incapacity resulting from a life threatening illness or injury or illness or injury of other catastrophic proportion as determined by the Director. Factors considered by the Director shall include the length of time the employee must be absent from work due to illness or injury.
- 5) "Personal catastrophic illness or injury" shall mean a catastrophic illness or injury to the employee or, if agreed upon by the Agency Head and the Director, members of the employee's immediate family. Factors to be considered in determining if an employee's immediate family members are covered include the nature and duration of the catastrophic illness or injury and whether such individuals are covered pursuant to collective bargaining negotiations.
- c) Participation in the sick leave bank is voluntary on the part of any employee. Employees wishing to participate must be permanent full-time or part time employees with a minimum of 6 months of service.

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d) A PARTICIPATING EMPLOYEE MAY DEPOSIT INTO THE SICK LEAVE BANK AS MUCH ACCRUED SICK LEAVE AS DESIRED PROVIDED THAT THE PARTICIPATING EMPLOYEE SHALL RETAIN IN HIS OR HER OWN ACCOUNT AT LEAST 10 SICK DAYS.

e) Employees may voluntarily enroll at any time. Employees who enroll within 30 calendar days of the establishment of a sick leave bank by an Agency must wait 30 calendar days before utilizing the sick leave bank. Employees who enroll more than 30 days after the establishment of a sick leave bank by an Agency must wait 60 calendar days after enrollment before utilizing the sick leave bank.

f) An employee may use up to 25 work days from the sick leave bank per calendar year except that participating employees shall not use sick leave accumulated in the sick leave bank until all of their accrued vacation time, personal days, sick leave and compensatory time have been used. The Director may approve limits of other than 25 work days per year. Factors considered in determining if an alternate limit should be approved include (1) the personnel jurisdiction governing the Agency and employees in question; (2) whether limits have been established through collective bargaining negotiations; (3) the desire for uniformity among Agency plans; (4) operational needs of the Agency.

g) Any sick leave in the sick leave bank used by a participating employee shall be only for the personal catastrophic illness or injury of the employee and may not be transferred, returned or used for any other purpose.

h) Each State agency shall develop procedures, consistent with this Section, for establishing a single sick leave bank for all agency employees.

i) Injuries and illnesses that are compensable under the Workers Compensation Act (Ill. Rev. Stat. 1991, ch. 48, par. 138.1, et seq.) or Workers Occupational Disease Act (Ill. Rev. Stat. 1991, ch. 48, par. 172.36, et seq.) shall not be eligible for sick leave bank use.

j) PARTICIPATING EMPLOYEES WHO TRANSFER FROM ONE AGENCY TO ANOTHER MAY TRANSFER THEIR PARTICIPATION IN THE SICK LEAVE BANK.

k) An employee shall not be eligible to withdraw the sick leave time he or she has contributed to the bank.

l) Decisions affecting a participating employee's use of the sick leave bank may be submitted by the employee to a review committee. Unless otherwise approved by the Department, the committee shall consist of one Agency representative and two Department representatives. In determining if alternative committee membership should be approved, the Department shall consider the jurisdiction governing the Agency

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or employees in question. Decisions of review committees shall be final and binding.

m) ANY ABUSE OF THE USE OF THE SICK LEAVE BANK SHALL BE INVESTIGATED BY THE AGENCY AND THE DEPARTMENT AND UPON A FINDING OF WRONGDOING ON THE PART OF A PARTICIPATING EMPLOYEE, THAT EMPLOYEE SHALL REPAY ALL SICK LEAVE DAYS DRAWN FROM THE SICK LEAVE BANK AND SHALL BE SUBJECT TO OTHER DISCIPLINARY ACTION.

(Source: Added at ___ Ill. Reg. ___, effective ____)

OFFICE OF THE STATE FIRE MARSHAL
NOTICE OF PROPOSED AMENDMENTS

- 1) The Heading of the Part: Boiler and Pressure Vessel Safety Rules and Regulations

- 2) Code Section: 41 Ill. Adm. Code 120

<u>Section Number:</u>	<u>Proposed Action</u>
120.4	Repealed
120.7	Repealed
120.10	Amendment
120.11	Amendment
120.20	Amendment
120.41	Repealed
120.30	New Section
120.100	Amendment
120.105	New Section
120.200	Amendment
120.205	New Section
120.300	Amendment
120.400	Repealed
120.500	Repealed
120.600	Amendment
120.700	Repealed
120.900	Repealed
120.1000	Amendment
120.1010	Amendment
120.1020	Amendment
120.1030	New Section
120.1040	Amendment
120.1041	Amendment
120.1100	Amendment
120.1200	Amendment
120.1210	Amendment
120.1220	Amendment
120.1240	Amendment
120.1250	Amendment
120.1260	Amendment
120.1270	Amendment
120.1275	Amendment
120.1280	Amendment
120.1285	Amendment
120.1290	Amendment
120.1300	Amendment
120.1305	Amendment

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120.1310	Amendment
120.1320	Amendment
120.1325	Amendment
120.1330	Amendment
120.1335	Amendment
120.1340	Amendment
120.1350	Amendment
120.1355	Amendment
120.1360	Amendment
120.App A	Repealed
120.App A Figure 1	Repealed
120.App A Figure 2	Repealed
120.App A Figure 3	Repealed
120.App A Figure 4	Repealed
120.App A Figure 5	Repealed
120.App A Figure 6	Repealed
120.App A Figure 7	Repealed
120.App A Figure 8	Repealed

- 4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 3202 and 3203.
- 5) A Complete Description of the Subjects and Issues Involved: The standards incorporated in the rules are updated. The updated incorporations are designed to keep Illinois consistent with national standards and industry practices. The rules have been reorganized and incorporate changes made by P.A.
- 6) Will the proposed rule replace and emergency rule currently in effect? No.
- 7) Does this rulemaking contain an automatic repeal date? No.
- 8) Does this rulemaking contain incorporations by reference? No.
- 9) Are there any other rule pending on this part? No.
- 10) Statement of Statewide Policy Objective (if applicable).
- 11) Time, Place and Manner in which interested parties may comment on this proposed rulemaking.

The Office will accept written comments for a period of 45 days after the date of this publication. The written comments should be directed to:

ILLINOIS REGISTER

OFFICE OF THE STATE FIRE MARSHAL

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John J. Pavlou, General Counsel
Office of the State Fire Marshal
1035 Stevenson Drive
Springfield, Illinois 62703-4259

12) Initial Regulatory Flexibility Analysis:

- A) Date the rule submitted to the Small Business Office of the Department of Commerce and Community Affairs:
November 20, 1992.
- B) Types of Small Businesses and Municipalities Affected: Boiler and Pressure vessel repair firms and owners of boilers and pressure vessels and local governments operating these objects.
- C) Reporting, bookkeeping or other procedure required for compliance:
No changes from current rules.
- D) Types of Professional Skills necessary for Compliance: No change from current rules.

The full text of the Rules begins on the next page.

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TITLE 41: FIRE PROTECTION
CHAPTER I: STATE FIRE MARSHAL

PART 120
BOILER AND PRESSURE VESSEL SAFETY

SUBPART A: INTRODUCTORY MATERIAL

Section
120.4 Forward (Repealed)
120.7 Kindly Observe the Following Briefs and Avoid Unnecessary Inconvenience (Repealed)

SUBPART B: DEFINITIONS AND ADMINISTRATION

Section
120.10 Definitions
120.11 Incorporation of National Standards
120.20 Administration
120.41 Special Inspector Trainee (Repealed)
120.30 Inspectors, Examinations, Certificate of Competency and Commission

SUBPART C: CONSTRUCTION, INSTALLATION, INSPECTION, MAINTENANCE, AND USE

Section
120.100 New Installations of Boilers, Miniature Boilers, Heating Boilers and Hot Water Supply Boilers
120.105 Boiler Exemptions
120.200 New Installations of Pressure Vessels
120.205 Pressure Vessel Exemptions
120.300 Existing Installations of Power Boilers
120.400 Existing Installations of Miniature Boilers (Repealed)
120.500 Existing Installations of Heating Boilers and Hot Water Supply Boilers (Repealed)
120.600 Existing Installation of Pressure Vessels
120.700 General Requirements for all Boilers and Pressure Vessels (Repealed)
120.900 Flame Safeguard Requirements (Repealed)
120.1000 Repairs and Alterations to Boilers and Pressure Vessels by Welding
120.1010 Authorization to Repair Boilers and Pressure Vessels
120.1020 Issuance and Renewal of the Certificate
120.1030 Changes to Certificates of Authorization

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120.1040 Quality Control Requirements
 120.1041 Repair and Alteration Requirements
 120.1100 Procedure for the Issuance of State's Special Permits

SUBPART BC: REPAIR OF SAFETY AND SAFETY RELIEF VALVES

Section
 120.1200 Repair of Safety and Safety Relief Valves
 Authorization for Repair of Safety & Safety Relief Valves

120.1210 Authorization to Repair ASME and National Board Stamped Safety and Safety Relief Valves
 120.1220 Issuance and Renewal of the Certificate
 120.1240 Changes to Certificates of Authorization
 120.1250 Repairs to Safety and Safety Relief Valves
 120.1260 Quality Control System
 120.1270 Nameplates
 120.1275 Field Repair
 120.1280 Performance Testing of Repaired Valves
 120.1285 Training of Valve Repair Personnel
 120.1290 ASME "V", "UV" or National Board "VR" Certificate Holders

SUBPART ED: OWNER-USER QUALITY CONTROL REQUIREMENTS

120.1300 Introduction
 120.1301 Authority and Responsibility
 120.1305 Organization
 120.1310 Inservice Inspection Program
 120.1320 Drawings, Design Calculations, and Specification Control
 120.1325 Material Control
 120.1330 Examination and Inspection Program
 120.1335 Correction of Nonconformities
 120.1340 Welding
 120.1345 Nondestructive Examination
 120.1350 Calibration of Measurement and Test Equipment
 120.1355 Records
 120.1360 Inspectors
 120. APPENDIX A Examples of Repairs and Alterations (Repealed)

Figure 1 Unstayed Boiler Furnaces (Repealed)
 Figure 2 Rivet and Staybolt Hole Cracks (Repealed)
 Figure 3 Weld Build-up of Wasted Areas (Repealed)
 Figure 4 Repairs for Access Openings (Repealed)
 Figure 5 Typical Examples of Seal Welding Tubes (Repealed)

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Figure 6 Seal Welding of Riveted Joints (Repealed)
 Figure 7 Flush or Butt-Welded Patches (Repealed)
 Figure 8 Tube Window Patching Method (Repealed)

AUTHORITY: Implementing and authorized by Sections 2 and 2.1 of the Boiler and Pressure Vessel Safety Act (Ill. Rev. Stat. 19951991, ch. 111 1/2, pars. 3202 and 3203).

SOURCE: Boiler and Pressure Vessel Safety Act and Rules and Regulations; adopted at 4 Ill. Reg. 7, p. 126, effective January 31, 1980; codified at 5 Ill. Reg. 10677; amended at 7 Ill. Reg. 6925, effective July 1, 1983; amended at 10 Ill. Reg. 9510, effective July 1, 1985; amended at 11 Ill. Reg. 16587, effective January 1, 1988; amended at ____ Ill. Reg. ____, effective ____.

SUBPART A: INTRODUCTORY MATERIAL (Repealed)

Section 120.4 Foreward (Repealed)

a) ~~The requirements of the Illinois Boiler and Pressure Vessel Safety Rules and Regulations governing the construction of boilers and pressure vessels are essentially the same as those incorporated in the American Society of Mechanical Engineers' Boiler and Pressure Vessel Code. A copy of this Code is on file in the office of the Superintendent of Boiler and Pressure Vessel Safety.~~

b) ~~The regulations contained herein shall be understood to set forth rules for safeguarding the life and limb of workers in industries in which boilers and pressure vessels are used, to protect persons and property generally, and to place the responsibility for compliance with the rules and regulations upon both the manufacturer, owner user, installer and the employee.~~

e) ~~The Board of Boiler and Pressure Vessel Safety rules has endeavored to minimize the burden upon manufacturers, owners users, installers and employees and at the same time establish rules and regulations for the safe construction, installation, and operation of boilers and pressure vessels in the State of Illinois.~~

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- a) ~~The Illinois Boiler and Pressure Vessel Safety Rules and Regulations do not presume to limit in any way the builder's right to choose any method of design or form of construction that conforms to Code rules, as the Code covers certain fundamental features of construction and leaves a number of details to the judgment of designers and inspectors.~~
- e) ~~Where special designs are not covered by Code provisions, their construction may be determined by the manufacturer in cooperation with the purchaser, subject to the approval of the Inspector and the Board of Boiler and Pressure Vessel Safety Rules.~~
- f) ~~Any person who feels that these Rules and Regulations or interpretations of them impose an undue burden upon him shall have the right to appeal to the Board of Boiler and Pressure Vessel Rules.~~

(Source: Repealed at Ill. Reg. _____, effective _____).

Section 120.7 Kindly Observe the Following Briefs and Avoid Unnecessary Inconvenience (Repealed)

- a) ~~DO NOT buy second hand boilers or pressure vessels for use in the State without first making application to the Division of Boiler and Pressure Vessel Safety and securing permission for operation of same. Also, have the same inspected by a State Inspector from the Division of Boiler and Pressure Vessel Safety or by a duly authorized Insurance Company Inspector and file report of insurance inspection with your application.~~
- b) ~~DO NOT operate any boiler or pressure vessel until same has been inspected by a State Boiler Inspector from the Division of Boiler and Pressure Vessel Safety or a duly authorized Insurance Company Inspector and a certificate of inspection has been received permitting the operation of same.~~
- e) ~~DO NOT fail to post certificate of inspection under glass in a conspicuous location near the object.~~
- e) ~~DO NOT proceed with any welding until you have consulted with either the Division of Boiler and Pressure Safety or your Authorized Inspection Agency.~~

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- e) ~~In case of an accident resulting from failure of a boiler or pressure vessel, notification must be made immediately to the Division of Boiler and Pressure Vessel Safety. Permission must be obtained from an Inspector before any changes are made or parts removed, unless removing a part of the structure is necessary to save a life. For accidents resulting from failure of portions of a plant other than boilers or pressure vessels, notification is not required. However, any boiler or pressure vessel damaged as a result of such accident must be determined to be safe for operation by a qualified inspector before being returned to service.~~

(Source: Repealed at Ill. Reg. _____, effective _____).

SUBPART B A: DEFINITIONS AND ADMINISTRATION

Section 120.10 Definitions

"API 510". The term, API 510, shall mean the Maintenance, Inspection, Rating, Repair and Alteration of Pressure Vessels as published by the American Petroleum Institute.

"ASME Code". The term, ASME Code, shall mean the Boiler and Pressure Vessel Code of the American Society of Mechanical Engineers with such revisions, amendments and interpretations thereof as are made, approved and adopted by the Council of the Society and approved and adopted by the Board. Copies of the Code may be obtained from said Society at 345 E. 47th Street, New York, New York 10017.

"Act" or "The Act". The term, Act or "The Act", shall mean the Boiler and Pressure Vessel Safety Act (Ill. Rev. Stat. 1995 1991, ch. 111 1/2, par. 3201 et seq. as amended).

"Alteration". The term, Alteration, shall mean a change in a boiler or pressure vessel that alters the original design requiring consideration of the effect of the change on the original design. It is not intended that the addition of nozzles smaller than a reinforced opening size be considered an alteration. (See Section X7 Appendix A Section 120.1000. Appendix A)

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"Approved". The term, Approved, shall mean approved by the Board of Boiler and Pressure Vessel Rules.

"Authorized Inspection Agency". The term, Authorized Inspection Agency, shall mean one of the following:

A department or division established by a jurisdiction which has adopted one or more Sections of the ASME Code and whose Inspectors hold valid commissions issued by the National Board of Boiler and Pressure Vessel Inspectors or

An inspection agency of an insurance company which is authorized (licensed) to insure and is insuring boilers and pressure vessels in those jurisdictions which have examined the agency's Inspectors to represent such jurisdictions as is evident by the issuance of a valid Certificate of Competency to the Inspector or

An owner or user of pressure vessels who maintains a regularly established inspection department, whose organization and inspection procedures meet the requirements established by the Board and contained in this Part.

"Board". The term, Board, shall mean the Board of Boiler and Pressure Vessel Rules created by the Act and empowered to make, alter, amend and interpret rules and regulations for the safe construction, installation, inspection, alteration, and repair of boilers and pressure vessels.

"Boiler". The term, Boiler, shall mean a vessel intended for use in heating water or other liquids or for generating steam or other vapors under pressure or vacuum by the application of heat resulting from the combustion of fuels, electricity, or waste gases.

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Power Boiler means a boiler in which steam or other vapor is generated at a pressure of more than 15 psig and includes a high-pressure, high-temperature water boiler.

High-Pressure, High-Temperature Water Boiler means a water boiler operating at pressures exceeding 160 psig and/or temperatures exceeding 250 F. at or near the boiler outlet.

Miniature Boiler means any boiler which does not exceed any of the following limits:

16 inches inside diameter of shell

20 square feet heating surface

5 cubic feet gross volume, exclusive of casing and insulation

100 psig maximum allowable working pressure

Heating Boiler means a steam boiler operated at pressures not exceeding 15 psig, or a hot water heating boiler operated at pressures not exceeding 160 psig and/or temperatures not exceeding 250 F. at or near the boiler outlet.

Hot water supply boiler means a boiler (including fired storage water heater) furnishing hot water to be used externally to itself at pressures not exceeding 160 psig and/or temperatures not exceeding 250 F. at or near the boiler outlet except as provided below.

~~Hot water supply boilers which are directly fired with oil, gas, or electricity are exempt from this Part when none of the following limitations are exceeded:~~

~~Heat input of 200,000 BTU/hr.~~

~~Water temperature of 200 F.~~

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~~Nominal water containing capacity of 120 gallons except that hot water supply boilers shall be equipped with safety devices in accordance with the requirements of paragraph Hot Water Supply H.W.S. 301 (Section 120.500 (d) (2) of this part).~~

Lined Potable Water Heater shall mean a water heater with a corrosion resistant lining, used to supply potable hot water.

Electric Boiler means a boiler in which the source of heat is electricity.

Portable Boiler means an internally fired boiler which is primarily intended for temporary location and the construction and usage permits it to be readily moved from one location to another.

~~"Cannery". The term, Cannery, shall mean a factory where food is canned for preservation.~~

"Certificate of Competency". The term, Certificate of Competency, shall mean a certificate issued to a person who has passed the examination prescribed by the Board.

"Certificate Inspection". The term, Certificate Inspection, shall mean an inspection, the report of which is used by the Chief Inspector as justification for issuing, withholding or revoking the inspection certificate. This Certificate Inspection shall be an internal inspection when required; otherwise, it shall be as complete an inspection as possible.

Internal Inspection means as complete an examination as can reasonably be made of the internal and external surfaces of a boiler or pressure vessel while it is shut down and manhole plates, handhole plates or other inspection opening closures are removed as required by the Inspector.

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External Inspection means an inspection made when a boiler or pressure vessel is in operation, if possible.

"Commission, National Board". The term, Commission, National Board, shall mean the holder of a Certificate of Competency who desires to make shop inspections or field inspections in accordance with the National Board bylaws and whose employer submits the Inspector's application to the National Board for such commission.

"Condemned Boiler or Pressure Vessel". The term, Condemned Boiler or Pressure Vessel, shall mean a boiler or pressure vessel that has been inspected and declared unsafe, or disqualified by legal requirements, by the Chief or Deputy Inspector, ~~who has applied a stamping or marking designating its condemnation.~~

"Division". The term, Division, shall mean the Division of Boiler & Pressure Vessel Safety.

"Engineer". The term, Engineer, shall mean a registered professional engineer registered in accordance with the Illinois Professional Engineering Act (~~Ill. Rev. Stat. 1991, ch. 111-2/3, par. 5101 et seq.~~) or a person who graduated from an accredited college or university and either:

~~holds a mechanical engineering degree or has five years experience in a related field (e.g. Civil engineering, metallurgical engineering, industrial engineering, design engineering, maintenance engineering, project engineering or construction, maintenance, repair or operation of high pressure boilers and pressure vessels).~~

"Existing Installation". The term, Existing Installation, shall mean and include:

Any boiler installed and placed in operation within the State of Illinois before May 1, 1953.

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Any hot water supply boiler installed and placed in operation within the State of Illinois on or before July 9, 1957.

Any pressure vessel installed and placed in operation within the State of Illinois on or before December 31, 1976.

"Inspection Certificate". The term, Inspection Certificate, shall mean a certification issued by the Chief Inspector for the operation of a boiler or pressure vessel as required by the Act.

"Inspector". The term, Inspector, shall mean the Chief Inspector or Deputy Inspector or Special Inspector or Owner-User Inspector.

Chief Inspector means the Chief Boiler and Pressure Vessel Inspector employed under the Act.

Deputy Inspector means any inspector employed under the Provisions of the Act.

Special Inspector means an Inspector holding an Illinois Certificate of Competency and who is regularly employed by an insurance company authorized to insure against loss from explosion of boilers and pressure vessels in this State.

Special Inspector Trainees are those inspectors described in Section 120.41 120.30.

Owner-User Inspector means an Inspector described in Section 120.1360 continuously employed as an Inspector by an Owner-User Inspection Agency.

"Jurisdiction". The term, Jurisdiction, shall mean a state, commonwealth, county or municipality of the United States or a Province of Canada which has adopted one or more Sections of the ASME Code and maintains a duly constituted Department,

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Bureau, or Division for the purpose of enforcement of such Code. In Illinois the Division of Boiler and Pressure Vessel Safety is the jurisdiction except for the City of Chicago.

"National Board". The term, National Board, shall mean the National Board of Boiler and Pressure Vessel Inspectors, 1055 Crupper Avenue, Columbus, Ohio 43229, whose membership is composed of the Chief Inspectors of jurisdictions who are charged with the enforcement of the provisions of the ASME Code.

"National Board Inspection Code". The term, National Board Inspection Code, shall mean the Manual for Boiler and Pressure Vessel Inspectors published by the National Board. Copies of the Code may be obtained from the National Board.

"New Boiler Installations". The term, New Boiler Installations, shall mean and include all boilers constructed, installed and placed in operation within the State of Illinois after May 1, 1953, and all hot water supply boilers installed and placed in operation after July 9, 1957.

"New Pressure Vessel Installations". The term, New Pressure Vessel Installations, shall mean and include any pressure vessel installed and placed in operation within the State of Illinois after December 31, 1976.

"~~Non-standard~~" "Non-Standard" Boiler ~~and~~ or Pressure Vessel". The term, ~~Non-standard~~ Non-Standard Boiler or Pressure Vessel, shall mean a boiler or pressure vessel that does not bear the ASME Stamp or the API-ASME Stamp.

"Office". The term, Office, shall mean the Office of the State Fire Marshal.

"Owner or User". The term, Owner or User, shall mean any person, firm or corporation legally responsible for the safe operation of any boiler or pressure vessel within the State.

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"Owner-User". The term Owner-User shall mean an owner and user qualified under Section 15 of the Act.

"Place of Public Assembly". The term, Place of Public Assembly, shall mean a building or specific area, including outdoor areas, in which persons assemble for civic, educational, religious, social or recreational purposes or which is provided by a common carrier for passengers awaiting transportation or in which persons are housed to receive medical, charitable or other care or treatment, or are held or detained for public, civic or correctional purposes.

"Pressure Vessel". The term, Pressure Vessel, shall mean a vessel in which pressure is obtained from an external source, or by the application of heat from the an indirect source or from a direct source other than those boilers as defined above. Some pressure vessels are considered nonhazardous by the Board of Boiler and Pressure Vessel Rules and, as such, are not subject to these Rules and Regulations. The following described pressure vessels shall be exempt from the scope of regulations requiring compliance with the ASME Code: Water conditioning equipment used for the removal of minerals, chemicals, or organic or inorganic particulates from water by means other than application of heat.

Vessels included in the scope of this exemption: Water softners, water filter, dealkalizers and demineralizers.

Requirements for the exemption: To qualify for the exemption from the requirements of these Rules and Regulations, the following criteria must be met:

Temperature: The temperature of water in the vessel shall not exceed the temperature of water found in the cold water line of the building's domestic water supply. The temperature shall not exceed 100 Fahrenheit.

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No heat may be applied to the water prior to being placed in the vessel nor while in the vessel and no heat may be applied to vessel itself directly or indirectly.

Pressure: The pressure of the water entering the vessel shall be the same or less than the pressure of the water in the building's domestic water supply, or the pressure supplied by the utility well or pumps supplying such water whichever is less. In no event shall the water pressure exceed 150 lbs. per square inch.

The vessel may not contain any material of a hazardous, toxic, or explosive nature.

The contents of the vessel shall not pose an undue hazard to the safety of persons in the event of a rupture, and neither vessel nor its contents may pose a hazard from explosion.

All pressure vessels used in conformity with the aforementioned Rules shall be exempt from the provisions of the Rules and Regulations requiring compliance with ASME Codes.

These Rules shall not prevent private parties, organizations, corporations, partnerships, associations or other entities from requiring construction in accordance with ASME or other rules and regulations in their private contracts for these objects.

"Professional Engineer". The term, Professional Engineer, shall mean a registered professional engineer registered in accordance with the Illinois Professional Engineering Act (Ill. Rev. Stat. 1905, ch. 111 2/3, par. 5101 et seq.) or a person who graduated from an accredited college or university and either

holds a mechanical engineering degree or

or temperature of a boiler or pressure vessel regardless of whether or not physical work is carried out to be performed on the boiler or pressure vessel. Rerating shall be considered to be an alteration.

"Safety Relief Valve". The term, Safety Relief Valve, shall mean an automatic pressure actuated relieving device suitable for use as a safety or relief valve, depending on application.

"Safety Valve". The term, Safety Valve, shall mean an automatic pressure relieving device actuated by the static pressure upstream of the valve and characterized by full opening pop action. It is used for gas or vapor service.

"Secondhand Boiler or Pressure Vessel". The term, Secondhand Boiler or Pressure Vessel, shall mean a boiler or pressure vessel which has changed both location and ownership since primary use.

"Standard Boiler or Pressure Vessel". The term, Standard Boiler or Pressure Vessel, shall mean a boiler or pressure vessel which bears the ASME Code Symbol.

"State Special". The term, State Special, shall mean a pressure vessel of special construction that may not be constructed in accordance with the ASME Code. See Section 120.1100 of this Part for the procedures for granting a State Special.

"Underwriters Laboratories (U.L.)". The term, Underwriters Laboratories, shall mean a non-profit independent organization testing for public safety. It maintains and operates laboratories for the examination and testing of devices, systems and materials to determine their relationship to life, fire and casualty hazards.

"Welding, Arc Welding". A group of welding processes wherein coalescence is produced by heating with an arc or arcs, with or without the application of pressure, and with or without the use of filler metal.

has five years experience in a related field (e.g. Civil engineering, metallurgical engineering, industrial engineering, design engineering, maintenance engineering, project engineering or construction, maintenance, repair or operation of high pressure boilers and unfired pressure vessels).

"PSIG". The term, PSIG, shall mean pounds per square inch gage.

"Quality Control Requirements". The term, Quality Control Requirements, shall mean a quality control system that meets the requirements of Sections 120.1300 through 120.1360 of this Part.

"Quality System". The term, Quality System, refers to the management controls established by a manufacturer, installer, or assembler holding (or applying for) an ASME Certificate of Authorization and Stamp under the requirements of Section I, IV, or VIII of the ASME Boiler and Pressure Vessel Code. Such quality systems are subject to review and audit prior to issuance or renewal of a Certificate of Authorization.

"Reinstalled Boiler or Pressure Vessel". The term, Reinstalled Boiler or Pressure Vessel, shall mean a boiler or pressure vessel removed from its original setting and reinstalled at the same location within the State of Illinois or at a new location without change of ownership.

"Relief Valve". The term, Relief Valve, shall mean an automatic pressure relieving device actuated by the static pressure upstream of the valve which opens further with the increase in pressure over the opening pressure. It is used primarily for liquid service.

"Repair". The term, Repair, shall mean work necessary to return a boiler or pressure vessel to a safe operating condition.

"Rerating". The term, Rerating, shall mean the increase of the maximum allowable working pressure

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(Source: Amended at Ill. Reg. _____, effective _____).

Section 120.11 Incorporation of National Standards

Where standards are incorporated by reference in this Part, the incorporated material does not include any later editions or amendments.

- a) The Board hereby adopts the following nationally recognized standards and their addenda:

<u>ASME CSD-1 1988</u>	<u>Controls and Safety Devices for Automatically Fired Boilers, Part CF only, for boilers installed or reinstalled after January 1, 1991 and Section CW-520</u>
<u>NFPA 8501-92</u>	<u>Single Burner Boilers - Furnaces</u>
<u>NFPA 85-C 1991</u>	<u>Multiple Burner Boilers - Furnaces</u>
<u>NFPA 85-F 1988</u>	<u>Pulverized Fuel Systems</u>
<u>ASME Boiler and Pressure Vessel Code (1992)</u>	
<u>Section I</u>	<u>Power Boilers</u>
<u>Section II</u>	<u>Material Specifications -- Part A-- Ferrous</u>
<u>Section II</u>	<u>Material Specifications -- Part B-- Nonferrous</u>
<u>Section II</u>	

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Material Specifications -- Part C -- Welding Rods Electrodes and Fillers Metals

Section II

Material Specifications -- Part D -- Properties

Section IV

Heating Boilers

Section V

Nondestructive Examination

Section VI

Recommended Rules for Care and Operation of Heating Boilers

Section VII

Recommended Rules for Care of Power Boilers

Section VIII

Pressure Vessels -- Division 1 Including Appendix M

Section VIII

Pressure Vessels -- Division 2 -- Alternative Rules

Section IX

Welding and Brazing Qualifications

Section X

Fiberglass -- Reinforced Plastic Pressure Vessels

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National Board of Boiler & Pressure Vessel
Inspectors

National Board Inspection Code 1992
Edition

American Petroleum Institute

API-510, Sixth Edition, "API
Recommended Practice for Inspection,
Repair, and Rating of Pressure Vessels
in Petroleum Refining Service"

API --

American Petroleum Institute
1220 L Street, Northwest
Washington, D.C. 20005

ASME --

American Society of
Mechanical Engineers
United Engineering Center
345 East 47th Street
New York, New York 10017

NB --

National Board of Boiler &
Pressure Vessel Inspectors
1055 Crupper Avenue
Columbus, OH 43229

NFPA --

National Fire Protection
Association
1 Batterymarch Park
Quincy, Massachusetts 02269-9101

(Source: Amended at Ill. Reg. _____, effective _____).

Section 120.20 Administration

Administration (generally)

- a) Applying State Serial Number. The State serial number on boilers shall be not be less than 5/16" in height and shall be preceded by the letters "ILL" which shall also be not less than 5/16" in height. Boilers will be identified by a five digit number. The State serial number on unfired pressure vessels shall be not less than 5/16" in height and shall be preceded by the

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letters "ILL" and the letter "U" which also shall be not less than 5/16" in height. unfired pressure vessels will be identified by a six digit number. The Inspector shall make certain that the correct Illinois State serial number is affixed to the boiler or pressure vessel.

- b) Attendants of Boilers. In the interest of safety it is recommended that boilers in operation shall be under the supervision of and checked at suitable intervals by a competent attendant.

- c) Basis for Extending Certificate. The Chief Inspector is authorized to extend for not exceeding one year, the time within which power boilers are required to be internally inspected, and subject to the following conditions and qualifications:

- 1) External inspections shall be made annually in accordance with Section 10 of the Act. (Ill. Rev. Stat. 1985 ch. 111 1/2, par. 3211)

- 2) The analysis and treatment of feedwater for such power boilers shall be under the supervision of a graduate chemist or graduate engineer person qualified in the field of water chemistry. He must be in the steady employ of the user located on the side of said boiler.

- 3) The analysis and treatment of the boiler feedwater shall be for the purpose of controlling and limiting serious deteriorating, encrusting and sludging factors affecting the safety of the boiler.

- 4) A) The owner or user of such power boilers must maintain, for examination by the Inspector, accurate records of such chemical and physical laboratory analysis of samples of the boiler water taken at regular intervals of not more than eight (8) twenty-four (24) hours operation and of the treatment applied. These records must specify dates and

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times of analyses, by whom analyzed, and the treatment applied at that time, and should be certified by the responsible authority. These records will adequately show the conditions of such water and any constituents or characteristics which are capable of producing corrosion or other deterioration of the boiler or its parts.

B) The Chief Inspector is authorized to determine and approve review the qualifications of the supervisor and the acceptability of supervision in accordance with the foregoing.

C) Application for extension shall be by letter setting forth facts establishing compliance with the foregoing conditions and qualifications, and shall be accompanied by the report of external inspection.

d) Commission.

1) A Commission as a Special Inspector and an identifying commission card shall be issued by the State Fire Marshal as provided in Section 8 of the Boiler and Pressure Vessel Safety Act. (Ill. Rev. Stat. 1985, ch. 111 1/2, par. 3209)

2) Commissions issued to inspectors in the employ of insurance companies or of self-insurers shall be held at the office of the employing company. The Commission and the identifying commission card shall be returned to the Chief Inspector when the Inspector to whom the Commission was issued is no longer in its employ, or when suspended or revoked. A Commission issued to a Special Inspector may be suspended or revoked by the State Fire Marshal as provided in Section 9 (b) of the Boiler and Pressure Vessel Safety Act. (Ill. Rev. Stat. 1985, ch. 111 1/2, par. 3210 (b))

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ed) ~~Condemned~~ Unsafe Boilers or Pressure Vessels.

1) Any boiler or pressure vessel having been inspected and declared unsafe by an Inspector shall have the Inspection Certificate suspended, be stamped by the Inspector with an arrowhead stamp having an overall length of 1 1/2 inch and width of 3/8 inch on either side of the letter "X" and the letters "ILL" as shown by the following facsimile, which will designate a condemned boiler or pressure vessel.

—X— ILL —X—

2) Any person, firm, partnership, or corporation using or offering for sale a condemned boiler or pressure vessel for operation within this State shall be subject to the penalties provided in Section 12 of the Boiler and Pressure Vessel Safety Act. (Ill. Rev. Stat. 1985, ch. 111 1/2, par. 3213)

f) Defective Conditions Disclosed at Time of External Inspections. If upon an external inspection there is evidence of a leak or crack, enough of the covering of the boiler or pressure vessel shall be removed to satisfy the Inspector in order that he may determine as to the safety of the boiler or pressure vessel, or if the covering cannot be removed at that time, he may order the operation of the boiler or pressure vessel stopped until such time as the covering can be removed and proper examination made.

g) Examination for Certificate of Competency and Commission.

1) Examinations for Certificate of Competency and Commission as Inspector of Boilers and Pressure Vessels shall be held at the office of the Board of Boiler and Pressure Vessel Rules for the State of Illinois, or at any location to be selected by the Board, 4 times each year, namely, the first Wednesday of the

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~~months of March, June, September, and December. Special examinations will be held when considered necessary by the Board.~~

2+ ~~Applicants for examination shall have at least 3 years experience for a Special Inspector and 5 years experience for a Deputy Inspector in the construction, maintenance, repair or operation of high pressure boilers and pressure vessels as a mechanical engineer, steam engineer or boiler maker, or shall have at least 5 years experience as a Deputy Inspector and 3 years experience as a Special Inspector of high pressure boilers and pressure vessels. A credit of 2 years of the required experience will be given to applicants holding a Mechanical Engineering degree from a college of engineering and one year's credit will be given for all other types of engineering degrees.~~

2+ ~~Application for examination for Certificate of Competency and Commission shall be written upon a form to be furnished by the Board stating the school education of the applicant, a list of his employers, his period of employment and position held with each employer. Applications containing willful falsification of untruthful statements shall be rejected. If the applicant's history and experience meet with the approval of the Board of Boiler and Pressure Vessel Rules, he shall be given a written examination dealing with the construction, installation, operation, maintenance and repair of boilers and their appurtenances, and the applicant shall be accepted or rejected on the result of his examination. If the applicant is successful in meeting the requirements of the Examining Board, a Certificate of Competency and Commission will be issued by the State Fire Marshal. After the expiration of 90 days, an applicant who fails to pass the examination will be permitted to take another written examination, and his acceptance or rejection will be determined by the Board on the basis of this examination.~~

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4e) ~~Factors of Safety for Existing Installations. The Board of Boiler and Pressure Vessel Rules authorizes an Inspector to shall increase the factors of safety if the condition of the a boilers or pressure vessels warrants it. If the owner or user does not concur with the Inspector's decision, the owner or user may appeal to the Board of Boiler and Pressure Vessel Rules who may request a joint inspection by the Chief Inspector and the Deputy or Special Inspector. Each Inspector shall render his report to the Board of Boiler and Pressure Vessel Rules and the Board shall render the final decision, based upon data contained in all the Inspector's reports.~~

4f) ~~Frequency of Inspection of Boilers and Pressure Vessels.~~

1) ~~Power boilers and high pressure, high temperature water boilers shall receive a certificate inspection annually, which shall be an internal inspection where construction conditions permits. Such boilers shall also be inspected externally annually while under representative operating conditions, if possible.~~

2) ~~Low pressure steam and hot water heating boilers and hot water supply boilers shall be inspected both internally and externally biennially where construction conditions will permit and shall receive a certificate inspection biennially.~~

3) ~~Inspection of the flame safeguard equipment shall be in conjunction with the regular inspections of boilers.~~

34) ~~Unfired pressure vessels subject to internal corrosion shall receive a certificate inspection triennially. This inspection shall be external with an and internal inspection at the discretion of the inspector, where construction conditions permits. However, owner users qualified in~~

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accordance with Section 15 of the Act shall have the option of using API-510 or the N.B.I.C. for inspection intervals.

- 45) Pressure vessels not subject to internal corrosion shall receive a certificate inspection triennially. However, owner users qualified in accordance with Section 15 of the Act shall have the option of using API-510 or the N.B.I.C. for inspection intervals.

3g) Inspection and Inspection Certificate Fees.

- 1) If a boiler or pressure vessel shall upon inspection be found to be suitable and to conform to these Rules and Regulations, the owner or user shall pay directly to the Chief Inspector the fees provided in Section 11 and 12 of the Boiler and Pressure Vessel Safety Act (Ill. Rev. Stat. 1985, Ch. 111-1/2, pars. 3212 and 3214) for each boiler and pressure vessel required to be inspected under this Act before a certificate of inspection an Inspection Certificate shall be issued.

- 2) If the owner of or user of each boiler or pressure vessel required to be inspected refuses or fails to allow an inspection to be made or refuses or fails to pay the appropriate above fees, the certificate of inspection Inspection Certificate shall be suspended by the Chief Inspector until the owner or user complies with the requirements.

- 3) The owner or user who causes a boiler or pressure vessel to be operated without possessing a valid certificate of inspection Inspection Certificate shall be subject to the penalty as provided for in Section 12 of the Boiler and Pressure Vessel Safety in the Act. (Ill. Rev. Stat. 1985, Ch. 111-1/2, par. 3213)

4) Inspection of Boilers and Pressure Vessels.

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- 1) All boilers and pressure vessels subject to the Boiler and Pressure Vessel Safety Act shall be inspected in accordance with the requirements of the Boiler and Pressure Vessel Safety Act.

- 2) A group of pressure vessels, such as the rolls on a paper machine, dryer, Niagra unit, Cascade unit, or similar type units, operating as a single machine or unit, shall be considered as one pressure vessel.

- 3) Inspectors to have no other interests. It is prohibited for any employee of the Division of Boiler and Pressure Vessel Safety to accept any compensation or remuneration from any source for acting as a Consultant, Engineer, Safety Engineer, Safety Specialist, etc., or under any other title. Employees of this Division shall not be engaged in the sale of any article or device that is related to boilers or pressure vessels and shall devote their full time to inspection work.

- 4) Installing Used of or Second-hand Boilers or Pressure Vessels. Before a used or second-hand boiler or pressure vessel can be reinstalled or shipped into this State, an inspection must be made by an Illinois Inspector or by an Inspector qualified by an examination of grade equal to that required by the State of Illinois, and data submitted by him shall be filed by the owner or user of the boiler or pressure vessel with the Chief Inspector for his approval. A certificate of inspection shall be made of all used or second-hand boilers or pressure vessels prior to operation in this State. In a case where a boiler or pressure vessel is moved and reinstalled, the fittings and appliances appurtenances shall be upgraded to comply with the Rules for new installations.

- 5) Authorized Inspection Agencies Inspectors to notify Chief Inspector of defective boilers and pressure vessels. If a special an Inspector or an owner/user inspector, upon inspection, finds that the boiler or pressure vessel or any of the

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appurtenances are in an unsafe condition the Agency Inspector shall immediately notify the Chief Inspector and submit a report of the defects.

e) Insurance Agencies to Notify the Chief Inspector of New, Canceled, Cancelled or Suspended Risks. All Insurance Agencies shall notify the Chief Inspector within 30 days of all boiler or pressure vessel risks written, canceled, cancelled, not renewed or suspended in Illinois because of unsafe conditions.

f) Manufacturers Manufacturers Data Reports to Be Filed. Effective January 1, 1974, Manufacturers

Data Reports on boilers and as amended December 31, 1976, for pressure vessels, which are to be installed in the State of Illinois (unless otherwise exempted by this Part) shall be filed with the Chief Inspector through the National Board. It is intended that each boiler and pressure vessel so filed should be assigned a National Board number. If a boiler or pressure vessel is of special design or will not bear the ASME and National Board stampings, then the blueprints, data and material showing details of the proposed construction shall be submitted to the Chief Inspector and his approval obtained before construction is started. If new or used equipment is being installed by the owner or user, similar notice shall be furnished to the Chief Inspector by the owner or user.

1) Boilers and Pressure Vessels without ASME Stamping. If the boiler or pressure vessel does not bear the ASME stamping, then the drawings, data and material showing all details of construction shall be submitted to the Chief Inspector and his approval obtained before installation in this State. The Chief Inspector shall grant his approval if the construction, materials and inspection requirements meet the Rules except for ASME stamping.

g) Non-Standard Boilers or Pressure Vessels.

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1) A non-standard boiler or pressure vessel now in use in this State, if removed outside the boundaries of the state, cannot be brought in and reinstalled.

2) Shipment of non-standard boilers and pressure vessels into Illinois for use within the State is prohibited except for State "Special" as specifically approved by the Board of Boiler and Pressure Vessel Rules.

m) Notification of Inspection. The owner or user shall prepare each boiler or pressure vessel for internal inspection and shall prepare for and apply a hydrostatic test whenever necessary, on the date specified by an Inspector, which date shall not be less than 7 days after the date of notification.

n) Owner to Notify Chief Inspector in Case of Accident. When an accident occurs which serves to render a boiler or pressure vessel inoperative due to damage or failure, etc., the owner or user shall immediately notify the Division of Boiler and Pressure Vessel Safety and submit a detailed report of the accident. In case of a serious accident such as an explosion, which causes death or personal injury, notice shall immediately be given by telephone or teletype and neither the boiler or pressure vessel nor any of the parts thereof shall be removed or disturbed before an inspection has been made by the Chief Inspector or his Deputy. If major repairs are required or in the event of any bodily injury or death, the Authorized Inspection Agency shall also submit a report on the form approved by the Board. Any owner or operator, which includes any person, firm, partnership, corporation, or governmental entity, that knowingly fails to notify the Chief Inspector within 24 hours, or on the next business day, of an accident, explosion, event, or incident that serves to render a boiler or pressure vessel inoperative because of damage or failure or that involves any bodily injury or death to any person is guilty of a Class B misdemeanor, if a natural person, or a business offense punishable by a fine

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of not less than \$501 and not more than \$10,000, if a corporation or governmental entity.

~~20) Penalties. Any person, firm, partnership or corporation violating any of the provisions of this Act Part shall be subject to the penalties provided in the Boiler and Pressure Vessel Safety Act.~~

~~21) Penalty for Operation of Unsafe Boilers or Pressure Vessels. If upon inspection a boiler or pressure vessel is found to be in such condition that it is unsafe to operate, the inspection certificate shall be suspended by the Chief Inspector who shall be notified by a Deputy Inspector or Special Inspector. Any person, firm, partnership or corporation causing such boilers or pressure vessels to be operated shall be subject to the penalty as provided in Section 12 of the Boiler and Pressure Vessel Safety Act. (Ill. Rev. Stat. 1985, ch. 111 1/2, par. 3213)~~

~~22) Reciprocal Commissions. A Reciprocal Commission as a Special Inspector shall be issued by the State Fire Marshal as provided in Section 8 of the Boiler and Pressure Vessel Safety Act. (Ill. Rev. Stat. 1985, ch. 111 1/2, par. 3209)~~

~~23) Registration of Boilers and Pressure Vessels. Within six months from May 1, 1952, all All owners or users of boilers and pressure vessels subject to the Boiler and Pressure Vessel Safety Act now in use or installed ready for use in the State of Illinois shall report notify to the Chief Inspector on forms prescribed by the Board, in writing giving the location, type, capacity, age and date of installation.~~

~~24) Registration of Pressure Vessels. By December 31, 1976, all owners or users of pressure vessels subject to the Boiler and Pressure Vessel Safety Act now in use in the State of Illinois shall report to the Chief Inspector on forms prescribed by the Board, giving the location, type, capacity, age and date of installation.~~

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~~25) Reinstalled Boilers or Pressure Vessels. In a case where a stationary boiler or pressure vessel is moved and reinstalled, the fittings and appliances must comply with the Illinois Rules and Regulations.~~

~~26) Removal of Safety Appliances.~~

~~1) No person, except under the direction of an Inspector, shall attempt to remove or shall do any work upon safety appliances, prescribed required by this Part while a boiler or pressure vessel is in operation. Should any of these appliances be repaired during an outage of a boiler or pressure vessel, it they must be reinstalled and in proper working order before the object is again placed in service.~~

~~2) No person shall in any manner load the safety valve or valves to maintain a working pressure in excess of that stated on the Certificate of Inspection Inspection Certificate.~~

~~27) Repairs. When repairs are to be made wherein welding is to be used, approval shall be obtained from an inspector and the welding shall be done in accordance with the rules of the ASME or the API/510. Repairs to boilers and pressure vessels and their appurtenances shall conform as nearly as practicable to the Code for which it is constructed, stamped or rated.~~

~~28) Restamping of Boilers or Pressure Vessels. When a stamping on a boiler or pressure vessel becomes indistinct the inspector shall instruct the owner or user to have it restamped. Request for permission to restamp the boiler or pressure vessel shall be made to the Chief Inspector and proof of the original stamping shall accompany the request. Restamping authorized by the Chief Inspector shall be done only by an Inspector, and shall be identified with the original stamping except that it will not be required to restamp the ASME symbol. Notice of completion of such restamping shall be filed with the Chief Inspector~~

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~~by the Inspector who stamped the boiler or pressure vessel together with a facsimile of the stamping applied.~~

- 2) Stamping of Existing Boilers and Pressure Vessels. Each existing boiler or pressure vessel subject to the Boiler and Pressure Vessel Safety Act shall be identified by a serial number of the State of Illinois. The number will be assigned by the Chief Inspector and applied by ~~an~~ the Inspector. Also, the Code required the stamping shall be kept free of paint and lagging so that it will be plainly visible and easily read by the Inspectors.

- 3) Submission of Inspection Reports. Inspection Reports to be submitted by Special Inspectors.

1) Special Inspectors shall within one year of the effective date of this Part for power boilers and high pressure, high temperature water boilers; two years for other boilers and three years for pressure vessels submit to the Chief Inspector an Inspection Report on Form NB6 or 7 of the National Board Inspection Code for each boiler and pressure vessel subject to inspection in this State. Complete data shall be submitted on Form NB5 for each nonstandard boiler or pressure vessel.

- 2) Except as provided in subsection (4) below subsequent inspections of both standard and nonstandard boilers and pressure vessels shall be reported on Forms NB6 and NB7 of the National Board Inspection Code.

- 3) Inspection Reports required in subsections (1) and (2) above shall be submitted within 30 days from the date of inspection.

- 4) Owner/User Inspection Agencies may report subsequent inspections of both standard and nonstandard pressure vessels on Form NB7 or upon forms approved by the Board.

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- 52) All inspection reports ~~must show the~~ shall be complete with all pertinent information as required including the county and zip code in which the object is located.

- 63) Validity of Inspection Certificate. No ~~Inspection~~ eCertificate issued for a boiler or pressure vessel inspected by a Special Inspector shall be valid after the boiler or pressure vessel for which it was issued shall cease to be insured by a duly authorized insurance company. The Chief Inspector, ~~or any other Deputy or Special Inspector, may at any time suspend an~~ Inspection eCertificate when, ~~in his opinion,~~ the boiler or pressure vessel for which it was issued may not continue to be operated without menace to the Public Safety, or when the boiler or pressure vessel is found not to comply with the these Rules. A Special Inspector shall have authority to request suspension of an ~~Inspection~~ eCertificate for boilers or pressure vessels insured by the Company employing him ~~employing company.~~ Such suspension of an ~~Inspection~~ eCertificate shall continue in effect until such boiler or pressure vessel shall have been made to conform to the ~~Boiler and Pressure Vessel Safety Act and Regulations of the State of Illinois~~ and until said inspection certificate shall have been reinstated.

(Source: Amended at Ill. Reg. _____, effective _____).

Section 120.41 Special Inspector Trainee (Repealed)

- a) Applicants for Special Inspector Trainee authorization, which will permit on the job training, must possess one of the following education and experience qualifications:

- 1) A Bachelor's Degree in Engineering from an accredited college or university (deemed to be the equivalent of two years experience in design, construction, in charge of operation

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or inspection of high pressure boilers and pressure vessels), or

- 2) ~~An Associate Degree in Mechanical Technology plus one year of actual experience in design, construction, in charge of operation or inspection of high pressure boilers and pressure vessels, or~~
- 3) ~~A high school diploma or General Equivalency Degree plus two years of practical experience in the construction, installation, repair, operation, maintenance or inspection of high pressure boilers and pressure vessels.~~

b) ~~Such applicants must have taken and received a passing grade (70%) upon that examination administered by the Board to applicants for National Board commissions commencing the first Wednesday of March, June, September and December of each year.~~

c) ~~The Office of the State Fire Marshal shall issue an authorization as a Special Inspector Trainee upon the applicant meeting the criteria in (a) and (b) above.~~

d) ~~The Special Inspector Trainee authorization issued by the Board pursuant to subsection (c), above, shall be valid for a period not to exceed fifteen months, shall be nonrenewable, and may be utilized by the holder only while in the continuous employ of the Authorized Inspection Agency by whom the inspector trainee is employed at the time of application and then only when all field inspection work so performed is performed while accompanied by an Inspector for such Authorized Inspection Agency employer during the first ninety (90) days of such work and while remaining under the supervision of such an employer's Inspector for the following year. further, if the Authorized Inspection Agency is an insurance company, the Special Inspector Trainee may perform field inspection work only upon objects currently covered by insurance issued thereby.~~

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e) ~~upon completion of one year of experience as an Special Inspector Trainee while in the continuous employ of an Authorized Inspection Agency, the holder of a valid authorization through such employer(s) may apply to the Board for the Certificate of Competency. The year of experience shall be credited as one of the three years (or equivalent) of experience necessary to be eligible for a National Board Commission.~~

(Source: Repealed at Ill.Reg.____, effective____).
Section 120.30 Inspectors, Examinations, Certificate of Competency and Commission.

a) Examinations.

1) ~~Examinations for Certificate of Competency and Commission as an Inspector of Boilers and Pressure Vessels shall be held the first Wednesday of the months of March, June, September, and December. Special examinations will be held when considered necessary by the Board.~~

2) ~~Applicants for examination for a Special Inspector shall have 3 years experience in the construction, maintenance, repair or operation of high pressure boilers and pressure vessels. A credit of 2 years of the required experience will be given to applicants holding a Mechanical Engineering degree from a college of engineering and one year's credit will be given for all other type of engineering degrees.~~

3) ~~Application for examination for Certificate of Competency and Commission shall be written upon a form to be furnished by the Office of the State Fire Marshal stating the educational background of the applicant, a list of employers, period of employment and position held with each employer. Applications containing willful falsification or untruthful statements shall be rejected. If the applicant's education and experience~~

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meet the requirements of the Board, the applicant shall be given the written examination dealing with the construction, installation, operation, maintenance and repair of boilers, pressure vessels and their appurtenances. If the applicant is successful in meeting the requirements of the Board, a Certificate of Competency and Commission will be issued by the Office of the State Fire Marshal. An applicant who fails to pass the examination will be permitted to take another written examination.

b) Special Inspector.

- 1) Applicants for Special Inspector Trainee authorization, which will permit on-the-job

training, must possess one of the following education and experience qualifications:

- A) A Bachelor's Degree in Engineering from an accredited college or university (deemed to be the equivalent of two years experience in design, construction, in charge of operation or inspection of high pressure boilers and pressure vessels); or
- B) An Associate Degree in Mechanical Technology plus one year of actual experience in design, construction, in charge of operation or inspection of high pressure boilers and pressure vessels; or
- C) A high school diploma or General Equivalency Degree plus two years of practical experience in the construction, installation, repair, operation, maintenance or inspection of high pressure boilers and pressure vessels.

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- 2) The Office of the State Fire Marshal shall issue an authorization as a Special Inspector Trainee upon the applicant meeting the criteria above.

- 3) The Special Inspector Trainee authorization issued by the Office of the State Fire Marshal shall be valid for a period not to exceed fifteen months, shall be nonrenewable, and may be utilized by the holder only while in the continuous employ of the Authorized Inspection Agency by whom the Inspector Trainee is employed at the time of application and then only when all field inspection work so performed is performed while accompanied by an Inspector for such Authorized Inspection Agency employer during the first ninety (90) days of such work and while remaining under the supervision of such an employer's Inspector for the following year. Further, if the Authorized Inspection Agency is an insurance company, the Special Inspector Trainee may perform field inspection work only upon objects currently covered by insurance issued thereby.

- 4) Upon completion of one year of experience as an Special Inspector Trainee while in the continuous employ of an Authorized Inspection Agency, the holder of a valid authorization, through such employer(s) may apply to the Office of the State Fire Marshal for the Certificate of Competency.

d) Commissions.

- 1) A Commission as a Special Inspector and an identifying commission card shall be issued by the State Fire Marshal as provided in the Act.
- 2) Commissions issued to Inspectors in the employ of insurance companies or of self-insurers shall be held at the office of the employing company. The Commission and the identifying commission card shall be

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returned to the Chief Inspector when suspended or revoked or the Inspector to whom the Commission was issued is no longer in its employ.

- 3) A Commission issued to a Special Inspector may be suspended or revoked by the State Fire Marshal as provided in the Act.

4. Reciprocal Commissions. A Reciprocal Commission as a Special Inspector shall be issued by the State Fire Marshal as provided in the Act.

(Source: Added at Ill. Reg. _____, effective _____).

SUBPART 6B: CONSTRUCTION, INSTALLATION, INSPECTION, MAINTENANCE AND USE

Section 120.100 New Installations of Boilers, Miniature Boilers, Heating Boilers and Hot Water Supply Boilers

~~P.V.I. Construction.~~ No boiler, except those exempted by the Act, or by these Rules and Regulations, shall after May 1, 1953, be installed in the State unless it has been constructed, and inspected and stamped in conformity with the applicable edition section of the ASME Code and is approved, registered and inspected in accordance with the requirements of these Rules and Regulations inspected and registered in accordance with the requirements of these Rules. Existing non-standard boilers may not be installed or reinstalled in a different location.

(Source: Amended at Ill. Reg. _____, effective _____).

Section 120.105 Boiler Exemptions

The following boilers shall be exempt from registration and inspection as required by these Rules:

- a) Hot water supply boilers which are directly fired with oil, gas or electricity when none of the following limitations are exceeded:
 - 1) Heat input of 200,000 BTU per hour.
 - 2) Water temperature of 200 degrees Fahrenheit.

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- 3) Nominal water containing capacity of 120 U.S. gallons.

b) Coil type hot water boilers where the water can flash into steam when released directly to the atmosphere through a manually operated nozzle provided the following conditions are met:

- 1) There is no drum, headers or other steam space.
- 2) No steam is generated within the coil.
- 3) Outside diameter of tubing does not exceed 1 inch.
- 4) Pipe size does not exceed 3/4 inch NPS.
- 5) Water capacity of unit does not exceed 6 U.S. gallons.
- 6) Water temperature does not exceed 350 degrees Fahrenheit.

(Source: Added at Ill. Reg. _____, effective _____).

Section 120.200 New Installations of Pressure Vessels

~~P.V.I. Construction.~~ No Pressure Vessel, except those exempted by the Act or by these Rules and Regulations, shall after December 31, 1976, be installed in this State unless it has been constructed, and inspected, and stamped in conformity with the applicable edition section of the ASME Boiler and Pressure Vessel Code, and is approved, registered and inspected in accordance with the requirements of these Rules. Existing non-standard pressure vessels may not be installed or reinstalled in a different location.

(Source: Amended at Ill. Reg. _____, effective _____).

Section 120.205 Pressure Vessel Exemptions

The following pressure vessels shall be exempt from registration and inspection as required by these Rules.

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a) Containers for Liquefied Petroleum Gas that do not exceed a volume of 2,000 gallons water capacity except when used for dispensing to other LPG containers or fuel tanks.

b) Pressure vessels operated at a pressure not exceeding 15 psig with no limitations on size.

c) Pressure vessels that do not exceed:

1) A volume of 15 cubic feet and 250 psig when not located in a place of public assembly.

2) A volume of 5 cubic feet and 250 psig when located in a place of public assembly.

3) A volume of 1-1/2 cubic feet or an inside diameter of 6 inches with no limitation on pressure.

d) Those classes of vessels not within the scope of ASME Code Section VIII, Division 1 as defined in the introduction under paragraph U-1.

e) Water conditioning equipment used for the removal of minerals, chemicals, or organic or inorganic particulates from water by means other than application of heat e.g. water softeners, water filters, dealkalizers and demineralizers.

(Source: Added at 11. Reg. _____, effective _____).

Section 120.300 Existing Installations of Power Boilers

a) ~~E-P-B-1-~~ Maximum Allowable Working Pressure for Standard Boilers. The maximum allowable working pressure for standard boilers shall be determined in accordance with the applicable provisions of the edition of the ASME Code under which they were constructed and stamped. Existing installations of non-standard power boilers and miniature boilers shall comply with this section.

b) ~~E-P-B-2-~~ Maximum Allowable Working Pressure for Nonstandard Boilers.

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- 1) The maximum allowable working pressure on the shell of a nonstandard boiler shall be determined by the strength of the weakest section of the structure, computed from the thickness of the plate, the tensile strength of the plate, the efficiency of the longitudinal joint or tube ligaments, the inside diameter of the weakest course and the factor of safety allowed by this part permitted below.

~~TS =~~ ~~TS x t x E \ (R x FS)~~ = Maximum Allowable Working Pressure, PSIG.
RFS

~~TS x t x E \ (R x FS)~~ = Maximum Allowable Working Pressure, PSIG

Where:

TS = ultimate tensile strength of shell plates, psi.

t = minimum thickness of shell plate, in weakest course, inches.

E = efficiency of longitudinal joint:

For Fusion-Welded and Brazed Joints:
Single lap welded.....40
Double lap welded.....60
Single butt welded.....60
Double butt welded.....75
Forge welded.....70
Brazed steel.....80

For tube-ligaments and riveted construction, E shall be determined by the Rules given in Section I, Part PR, of the 1971 Edition ASME Code. For seamless construction, the joint efficiency shall be considered 100 percent.

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R =inside radius of the weakest
course of the shell, in inches.

FS =factor of safety permitted.

- 2) Tensile Strength. When the tensile strength of steel or wrought iron shell plates is not known, it shall be taken as 55,000 psi for steel and 45,000 psi for wrought iron.
- 3) Crushing Bearing Strength of Mild Steel. The resistance to crushing of mild steel shall be taken at 95,000 psi of cross-sectional area.
- 4) Factors of Safety. The following factors of safety shall be increased by the Inspector if the condition and safety of the boiler demand it: The lowest factor of safety permissible on existing installations shall be 4-5 5, except for horizontal return tubular boilers having continuous longitudinal lap seams more than 12 ft. in length, when the factor of safety shall be 8; when this latter type of boiler is removed from its existing setting, it shall not be reinstalled for pressures in excess of 15 psig. Reinstalled or second-hand boilers shall have a minimum factor of safety of 6 when the longitudinal seams are of lap riveted construction, and a minimum factor of safety of 5 when the longitudinal seams are of butt and double-strap construction.

e+ ~~B-P-B-3. Cast Iron Headers and Mud Drums. The maximum allowable working pressure on a water tube boiler, the tubes of which are secured to cast iron mud drums, shall not exceed 160 psig.~~

e+ ~~B-P-B-4. Pressure on Cast Iron Boilers. The maximum allowable working pressure for any cast iron boiler, except hot water boilers, shall be 15 psig.~~

e+ ~~B-P-B-5. Safety Valves.~~

- 1) ~~The use of weighted lever safety valves, or safety valves having either the seat or disk~~

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~~of cast iron, shall be prohibited after these regulations become effective, valves of this type or construction shall be replaced by direct, spring loaded, pop type valves that conform to the requirements of the ASME Code Section I.~~

- 2+ ~~Each boiler shall have at least one safety valve, and if it has more than 500 sq. ft. of water heating surface, or an electric power input of more than 500 kw, it shall have two or more safety valves.~~

- 3+ ~~The valve or valves shall be connected to the boiler, independent of any other steam connection, and attached as close as possible to the boiler, without unnecessary intervening pipe or fittings. Where alteration is required to conform to this requirement, owners or users shall be allowed reasonable time in which to complete the work.~~

- 4+ ~~No valves of any description shall be placed between the safety valve and the boiler nor on the escape pipe, if used, between the safety valve and the atmosphere. When an escape pipe is used, it shall be at least full size of the safety valve discharge and fitted with an open drain to prevent water lodging in the upper part of the safety valve or escape pipe. When an elbow is placed on a safety valve escape pipe, it shall be anchored and supported securely. All safety discharges shall be so located or piped as to be carried from walkways or platforms.~~

- 5+ ~~The safety valve capacity of each boiler shall be such that the safety valve or valves will discharge all the steam that can be generated by the boiler without allowing the pressure to rise more than 6 percent above the highest pressure to which any valve is set, and in no case to more than 6 percent above maximum allowable working pressure. Safety valve or valves will discharge all the steam that can be generated by the boiler~~

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~~without allowing the pressure to rise more than 6 percent above the highest pressure to which any valve is set, and in no case to more than 6 percent above maximum allowable working pressure.~~

6) ~~One or more safety valves on every boiler shall be set at or below the maximum allowable working pressure. The remaining valves may be set within a range of 3 percent above the maximum allowable working pressure, but the range of setting of all the safety valves on a boiler shall not exceed 10 percent of the highest pressure to which any valve is set.~~

7) ~~When two or more boilers operating at different pressures and safety valve settings are interconnected, the lowest pressure boilers or interconnected piping shall be equipped with safety valves of sufficient capacity to prevent overpressure, considering the maximum generating capacity of all boilers.~~

8) ~~In those cases where the boiler is supplied with feedwater directly from water mains without the use of feeding apparatus (not to include return traps), no safety valve shall be set at a pressure greater than 94 percent of the lowest pressure maintained in the supply main feeding the boiler.~~

9) ~~The relieving capacity of the safety valves on any boiler shall be checked by one of four following methods and, if found to be insufficient, additional valves shall be provided:~~

A) ~~By making the accumulation test, which consists of shutting off all other steam discharge outlets from the boiler and forcing the fires to the maximum. The safety valve capacity shall be sufficient to prevent a rise of pressure in excess of 6 percent of the maximum allowable working pressure. This method~~

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~~should not be used on a boiler with a superheater or reheater.~~

B) ~~By measuring the maximum amount of fuel that can be burned and computing the corresponding evaporating capacity (steam generating) upon the basis of the heating value of this fuel. These computations shall be made as outlined in the Appendix of the ASME Code, Section I.~~

C) ~~By determining the maximum evaporative capacity by measuring the feedwater. The sum of the safety valve capacities marked on the valves shall be equal to or greater than the maximum evaporative capacity of the boiler. This method shall not be used on high temperature water boilers.~~

D) ~~The minimum safety valve or safety relief valve relieving capacity for other than electric boilers, waste heat boilers and forced flow steam generators with no fixed steam and water line shall be determined on the basis of the pounds of steam generated per hour per square feet of boiler heating surface and waterwall heating surface as given in the following table. In many cases a greater relieving capacity will have to be provided than the minimum specified by this Part.~~

Minimum Pounds of Steam Per Hour	Per Square Foot of Heating Surface	
	Boilers	Watertube Boilers
Hand-fired	5	6
Stoker-fired	7	6
Oil, gas, or pulverized fuel fired	8	10

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Waterwall heating surface:

Handfired _____ 8 8

Stoker fired _____ 10 12

Oil, gas, or pulverized fuel fired _____ 14 16

Notes:

- 1- When a boiler is fired only by a gas having a heat value not in excess of 200 Btu, per cu. ft., the minimum safety valve or safety relief valve relieving capacity may be based on the value given for hand fired boilers above.
- 2- The minimum safety valve or safety relief valve relieving capacity for electric boilers shall be 3 1/2 pounds per hour per kilowatt input.
- 3- For heating surface determination see ASME Code Section IV, para. HG 403.

4- E.P.B.-6. Feedwater Supply. Except as provided for in subsection 1 and subsection 3, boilers having more than 500 sq. ft. of water heating surface shall have at least two means of feeding water. Except as provided for in subsections (2), (3), and (4), each source of feeding shall be capable of supplying water to the boiler at a pressure of 3 percent higher than the highest are fired with solid fuel not in suspension, and for boilers whose setting or heat source can continue to supply sufficient heat to cause damage to the boiler if the feed supply is interrupted, one such means of feeding shall not be susceptible to the same interruption as the other, and each shall provide sufficient water to prevent damage to the boiler.

- 1- Except as provided for herein, a boiler fired by gaseous, liquid, or solid fuel in suspension may be equipped with a single

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means of feeding water provided means are furnished for the shutting off of its heat input prior to the water level reaching the lowest permissible level.

- 2- For boilers having a water heating surface of not more than 100 sq. ft., the feed connection to the boiler shall not be smaller than 1/2 in. pipe size. For boilers having a water heating surface more than 100 sq. ft., the feed connection to the boiler shall not be less than 3/4 in. pipe size.

- 3- High temperature water boilers shall be provided with means of adding water to the boiler or system while under pressure.

- 4- A forced flow steam generator with no fixed steam and water line shall be provided with a source of feeding capable of supplying water to the boiler at a pressure not less than the expected maximum sustained pressure at the boiler inlet, as determined by the boiler manufacturer, corresponding to operation at maximum designed steaming capacity with maximum allowable working pressure at the superheater outlet.

5- E.P.B.-7. Water Level Indicators.

- 1- No outlet connections (except for damper regulator, feedwater regulator, low water fuel cutoff, drains, steam gages, or such apparatus that does not permit the escape of an appreciable amount of steam or water therefrom) shall be placed on the piping that connects the water column to the boiler. The water column shall be provided with a valved drain of at least 3/4 in. pipe size, the boiler shall have three or more gage cocks located within the visible length of the water glass, except when the boiler has two water glasses located at the same horizontal lines. Boilers not over 36 in. in diameter, in which the heating surface does not exceed 100 sq. ft., need have but two gage cocks.

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2) For all installations where the water gage glass or glasses are more than 30 ft. above the boiler operating floor, it is recommended that remote water level indicating or recording gages be installed at eye height above the operating floor.

h) E.P.B. 8- Steam Gages. Each steam boiler shall have a steam gage, with a dial range not less than $1\frac{1}{2}$ times the maximum allowable working pressure, connected to the steam space or to the steam connection to the water column. The steam gage shall be connected to a siphon or equivalent device of sufficient capacity to keep the gage tube filled with water and so arranged that the gage cannot be shut off from the boiler except by a cock placed near the gage and provided with a tee or lever handle arranged to be parallel to the pipe in which it is located when the cock is open. When a steam gage connection longer than 8 ft. becomes necessary, a shutoff valve may be used near the boiler, provided the valve is of the outside screw and yoke type and is locked open. The line shall be of ample size with provision for free blowing. Each boiler shall be provided with a $1\frac{1}{4}$ in. nipple and globe valve connected to the steam space for the exclusive purpose of attaching a test gage when the boiler is in service so that the accuracy of the boiler steam gage may be ascertained.

i) E.P.B. 9- Stop Valves. Each steam outlet from a boiler (except safety valve and water column connections) shall be fitted with a stop valve located as close as practicable to the boiler. When a stop valve is so located that water can accumulate, ample drains shall be provided. The drainage shall be piped to a safe location and shall not be discharged on the top of the boiler or its setting. When boilers provided with manholes are connected to a common steam main, the steam connection from each boiler shall be fitted with two stop valves having ample free blowing drain between them. The discharge of the drain shall be piped clear of the boiler setting. The stop valves shall consist preferably of one

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automatic nonreturn valve (set next to the boiler) and a second valve of the outside screw and yoke type.

j) E.P.B. 10 Blowoff Connection. The construction of the setting around each blowoff pipe shall permit free expansion and contraction. Careful attention shall be given to the problem of sealing these setting openings without restricting the movement of the blowoff piping. All blowoff piping, when exposed to furnace heat, shall be protected by firebrick or other heat resisting material, so constructed that the piping may be inspected readily. Each boiler shall have a blowoff pipe fitted with a valve or cock, in direct connection with the lowest water space. Cocks shall be of the gland or guard type and suitable for the pressure allowed. When the maximum allowable working pressure exceeds 100 psig, each blowoff pipe shall be provided with two valves or a valve and a cock, such valves and cocks to be at least of the extra heavy type. When the maximum allowable working pressure exceeds 100 psig, blowoff piping shall be at least extra heavy from the boiler to the valve or valves, and shall be run full size without use of reducers or bushings. The piping shall be at least extra heavy steel and shall not be galvanized. All fittings between the boiler and the blowoff valve shall be of steel. In case of removal of blowoff pipe or fittings, they shall be installed in accordance with the rules and regulations for new installations of the ASME Code.

*b) E.P.B. 11- Repairs and Renewals of Boiler Fittings and Appliances. Appurtenances. Whenever repairs are made to fittings or appliances appurtenances or it becomes necessary to replace them, including burners and all associated controls, the work shall comply with current ASME/National Board Code requirements or the requirement of the ASME Codes in effect at the time of construction. Section 120.1000 of this Part the requirements for new installations

*c) E.P.B. 12- Recommendations for Operation. It is recommended that the applicable Section VII of the

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ASME Code, Section VI, Recommended Rules for the Care of Heating Boilers or Section VII, Recommendations and Rules for the Care of Power Boilers, covering be used as a guide for proper and safe operating practices.

~~ad~~) E.P.B. 13. Conditions not Covered by these Requirements Rules. All cases not specifically covered by these requirements Rules shall be treated as new installations, or may be referred to the Chief Inspector for instructions concerning the requirements. Existing standard and non-standard boilers shall be governed by current ASME/National Board Code requirements or the requirement of the ASME Codes in effect at the time of construction. Questions concerning existing nonstandard boilers may be referred to the Chief Inspector. Appeal of a decision of the Chief Inspector may be made to the Board.

(Source: Amended at Ill. Reg. effective _____).

Section 120.400 Existing Installation of Miniature Boilers (Repealed)

a) M.B. 1 Existing Installations Miniature Boilers. This paragraph contains special rules of construction for miniature boilers only. The classification "miniature" applies to boilers which do not exceed any of the following limits: 16 in. inside diameter of shell, 20 sq. ft. of heating surface, 5 cubic ft. gross volume exclusive of casing and insulation, 100 psig maximum allowable working pressure. Where any of the above limits is exceeded, the rules for power boilers apply. If the boiler meets the "miniature" classification, the rules in this paragraph shall supplement the rules for power boilers and take precedence over them when there is a conflict.

b) M.B. 2. Maximum Allowed Working Pressure. The maximum allowed working pressure to be determined by Section 120.300.

c) M.B. 3. Safety Valves. Each miniature boiler shall be equipped with a sealed spring-loaded pop

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safety valve of not less than 1/2 in. pipe size. The minimum relieving capacity of the safety valve shall be determined on the basis of 5 lb. per hr. per sq. ft. of boiler heating surface, or for boilers (electric) 3 1/2 lb. per hr. per kilowatt input. In addition to these requirements, the safety valve shall have sufficient capacity to discharge all the steam that can be generated by the boiler without allowing the pressure to rise more than 6 percent above maximum allowable working pressure. All other provisions for safety valves in Section I of the ASME Code shall be complied with.

d) M.B. 4. Steam Stop Valves. Each steam line from a miniature boiler shall be provided with a stop valve located as close to the boiler shell or drum as is practicable except when the boiler and steam receiver are operated as a closed system.

e) M.B. 5. Automatic Devices. It is recommended that all boilers operated with gas, electricity, oil, or mechanical firing be provided with an automatic low water level fuel cutoff and/or with an automatic fuel regulating governor controlled by the steam pressure. Such a governor used on gas fuel shall be so constructed that in the event of its failure there can be no possibility of steam from the boiler entering the gas chamber or supply pipe.

f) M.B. 6. Water Gages.

1) Each miniature boiler for operation with a definite water level shall be equipped with a glass water gage for determining the water level. The lowest permissible water level of vertical boilers shall be at a point one third of the height of the shell above the bottom head or tube sheet. Where the boiler is equipped with internal furnace, the water level shall not be less than one third of the length of the tubes above the top of the furnace tube sheet. In the case of small boilers operated in a closed system where there is insufficient space for the usual

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glass water gage, water level indicators of the glass bulb's eye type may be used.

- 2+ Miniature boilers shall have the lowest visible part of the water gage glass located at least 1 in. above the lowest permissible water level specified by the manufacturer.

9+ M.B. 7. Feed Water Supply

- 1+ Every miniature boiler shall be provided with at least one feed pump or other feeding device, except where it is connected to a water main carrying sufficient pressure to feed the boiler or where it is operated with no extraction of steam (closed system). In the latter case, in lieu of a feeding device, a suitable connection or opening shall be provided to fill the boiler when cold. Such connection shall be not less than 1/2 in. pipe size for iron or steel pipe and 1/4 in. for brass or copper pipe.

- 2+ The feed pipe shall be provided with a check valve and a stop valve of a size not less than that of the pipe. The feedwater may be delivered through the blowoff opening if desired.

- 4+ M.B. 8. Blowoff. Each miniature boiler shall be equipped with a blowoff connection, not less than 1/2 in. pipe size, located to drain from the lowest water space practicable. The blowoff shall be equipped with a valve or cock not less than 1/2 in. pipe size.

1+ M.B. 9. Washout Openings.

- 1+ Every miniature boiler exceeding 12 in. internal diameter or having more than 10 sq. ft. of heating surface shall be fitted with not less than three brass washout plugs of 1 in. iron pipe size, which shall be screwed into openings in the shell near the bottom. In miniature boilers of the closed system type heated by removable internal electric heating elements, the openings for these

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elements when suitable for cleaning purposes may be substituted for washout openings. Boilers not exceeding 12 in. internal diameter and having less than 10 sq. ft. of heating surface need have not more than two 1 in. openings for clean-outs, one of which may be used for the attachment of the blowoff valve, these openings shall be opposite to each other where possible. All threaded openings in the boiler shall be provided with a riveted or welded reinforcement, if necessary to give four full threads therein.

- 2+ Electric Boilers of a design employing a removable top cover flange for inspection and cleaning need not be fitted with washout openings.

- 3+ M.B. 10. Fixtures and Fittings. All valves, pipe fittings, and appliances connected to a miniature boiler shall be equal to at least the requirements of the American National Standards Institute for 125-lb. rating, and conform to the general requirements as listed in Part PC of the ASME Code, Section I.

(Source: Repealed at Ill. Reg. __, effective ____).

Section 120.500 Existing Installations of Heating Boilers and Hot Water Supply Boilers (Repealed)

a+ Scope:

- 1+ No heating or hot water supply boiler, except those exempted by this Part shall after May 1, 1953, be installed in this State unless it has been constructed, inspected and stamped in conformity with the applicable edition of the ASME Heating Boiler Code and is approved, registered and inspected in accordance with the requirements of these Rules and Regulations.

- 2+ All new boiler installations, and reinstalled boilers, shall be installed in accordance with the requirements of the ASME Boiler Code, Section IV, and this Part.

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- 3) ~~This Part is restricted to the following services:~~
- A) ~~Steam boilers for operation at pressures not exceeding 15 psi.~~
- B) ~~Hot water heating boilers for operation at pressures not exceeding 160 psi, and/or temperatures not exceeding 250 F., at or near the boiler outlet.~~
- C) ~~Hot water supply boilers for operation at pressures not exceeding 160 psi and/or temperatures not exceeding 250 F., at or near the boiler outlet.~~
- D) ~~Lined potable water heaters for operation at pressure not exceeding 160 psi and water temperatures not in excess of 200 F., as provided in H.L.W. (Section 120.500 (c)).~~
- H.B.S. Heating Boilers—Steam
- 1) H.B.S. 100. Safety Valve Requirements.
- A) ~~Each steam boiler shall have one or more officially (by the ASME/National Board) rated safety valve(s) of the spring pop type adjusted and sealed to discharge at a pressure not to exceed 15 psi. Seals shall be attached in a manner to prevent the valve from being taken apart without breaking the seal. The safety valves shall be arranged so that they cannot be reset to relieve at a higher pressure than the maximum allowable working pressure of the boiler. For iron and steel bodied valves exceeding 2 in. pipe size, the drain hole or holes shall be tapped not less than 3/8 in. pipe size.~~
- B) ~~Permissible Mounting. The safety valve shall be located in the top or side of the boiler. They shall be connected directly to a tapped or flanged opening~~

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- ~~in the boiler, to a fitting connected to the boiler by a short nipple, to a y base, or to a valveless header connecting steam or water outlets on the same boiler. Coil or header type boilers shall have the safety valve located on the steam outlet end. Safety valves shall be installed with their spindles vertical. The opening or connection between the boiler and any safety valve shall have at least the area of the valve inlet.~~
- C) ~~Each safety valve 3/4 in. diameter or over used on a steam boiler shall have a substantial device which will allow positive lifting of the disc from its seat at least 1/16 in. when there is no pressure in the boiler. The seats and discs shall be of suitable material to resist corrosion.~~
- D) ~~No safety valve for a steam boiler shall be smaller than 3/4 in. unless the boiler and radiating surfaces consist of a self contained unit. No safety valve shall be larger than 4 1/2 in. The inlet opening shall have an inside diameter equal to or greater than the seat diameter.~~
- E) ~~The minimum relieving capacity of valve or valves shall be governed by the capacity marking on the boiler.~~
- F) ~~The minimum valve capacity in pounds per hour shall be greater than the steam generation determined by the table in Section 120.300(c) (9) (D) of this Part.~~
- G) ~~The safety valve capacity for each steam boiler shall be such that with the fuel burning equipment installed and operated at maximum capacity the pressure cannot rise more than 5 psi above the maximum allowable working pressure.~~

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#1 When operating conditions are changed, or additional boiler heating surface is installed, the valve capacity shall be increased, if necessary, to meet the new conditions. The additional valves required, on account of changed conditions, may be installed on the outlet piping provided there is no intervening shut off or stop valve.

2+ H.B.S. 101 Steam Gages.

A+ Each steam boiler shall have a steam gage or a compound steam gage connected to its steam space or to its water column or to its steam connection. The gage or connection shall contain a syphon or equivalent device which will develop and maintain a water seal that will prevent steam from entering the gage tube. The connection shall be so arranged that the gage cannot be shut off from the boiler except by a cock placed in the pipe at the gage and provided with a tee or lever handle arranged to be parallel to the pipe in which it is located when the cock is open. The connections to the boiler shall be not less than 1/4 in. standard pipe size or but where steel or wrought iron pipe or tubing is used, they shall be not less than 1/2 in. standard pipe size. The minimum size of a syphon, if used, shall be 1/4 in. inside diameter. Ferrous and nonferrous tubing having inside diameters at least equal to that of standard pipe size listed above may be substituted for pipe.

B+ The scale on the dial of a steam boiler gage shall be graduated to not less than 30 psi nor more than 60 psi. The travel of the pointer from zero to 30 psi pressure shall be at least 3 in. on a compound gage and effective stops shall be set at the limits of the gage

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readings on both the pressure and vacuum sides of the gage.

3+ H.B.S. 102 Water Gage Glasses.

A+

4+ Each steam boiler shall have one or more water gage glasses attached to the water column or boiler by means of valved fittings not less than 1/2 in. pipe size, with the lower fittings provided with a drain valve of the straightway type with opening not less than 1/4 in. diameter to facilitate cleaning.

4+ Gage glass replacement shall be possible under pressure. Gage glass fittings may be attached directly to a boiler.

B+ The lowest visible part of the water gage glass shall be at least 1 in. above the lowest permissible water level recommended by the boiler manufacturer. With the boiler operating at this lowest permissible water level, there shall be no danger of overheating any part of the boiler.

Agency Note: Transparent material other than glass may be used for the water gage provided that the material will remain transparent and has proved suitable for the pressure, temperature and corrosive conditions expected in service.

4+ H.B.S. 103 Water Column and Water Level Control Pipes.

A+ The minimum size of ferrous or nonferrous pipes connecting a water column to a steam boiler shall be 1 in.

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No outlet connections, except for damper regulator, feedwater regulator, steam gages or apparatus which does not permit the escape of any steam or water therefrom, except for manually operated blowdowns, shall be attached to a water column or the piping connecting a water column to a boiler. If the water column, gage glass, low water fuel cutoff or other water level control device is connected to the boiler by pipe and fittings, no shutoff valves of any type shall be placed in such pipe, and a cross or equivalent fitting to which a drain valve and piping may be attached, shall be placed in the water piping connection at every right angle to facilitate cleaning. The water column drain pipe and valve shall be not less than 3/4 in. pipe size.

B) The steam connections to the water column of a horizontal firetube wrought iron boiler shall be taken from the top of the shell or the upper part of the head, and the water connection shall be taken from a point not above the center line of the shell. For a cast iron boiler, the steam connection to the water column shall be taken from the top of an end section or the top of the steam header and the water connections shall be made on an end section not less than 6 in. below the bottom connection to the water gage glass.

5) H.B.S. 104 Pressure Control.

A) Each individual automatically fired steam boiler, in addition to the operating control for normal boiler operation, shall have a high limit pressure actuated combustion control that will cut off the fuel supply to prevent the pressure from rising over 15 psi. The separate controls may have a common connection to the boiler.

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B) In a multiple boiler installation where the operating pressure control may be installed in a header or other point common to all boilers, and could be isolated from any or all of the boilers, there shall be at least one high limit pressure actuated combustion control mounted on each boiler.

C) No shut off valve of any type shall be placed in the connection to the high limit pressure actuated control. The control or connections shall contain a syphon or equivalent device which will develop and maintain a water seal that will prevent steam from entering the control. The connections to the boiler shall not be less than 1/4 in. standard pipe size, but where steel or wrought iron pipe or tubing is used, they shall be not less than 1/2 in. standard pipe size. The minimum size of a syphon, if used, shall be 1/4 in. inside diameter. Ferrous and nonferrous tubing having inside diameters at least equal to that of standard pipe size listed above may be substituted for pipe.

6)

H.B.S. 105 Automatic Low Water Fuel Cutoff and/or Water Feeding Device.

A) Each automatically fired steam or vapor system boiler shall have an automatic low water fuel cut off so located as to automatically cut off the fuel supply when the surface of the water falls to the lowest visible part of the water gage glass. If a water feeding device is installed, it should be so constructed that the water inlet valve cannot feed water into the boiler through the float chamber and so located as to supply requisite feedwater.

B) Such a fuel cut off or water feeding device may be attached directly to a

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boiler. A fuel cut off or water feeding device may also be installed in the tapped openings available for attaching a water glass direct to a boiler, provided the connections are made to the boiler with nonferrous tees or Y's not the boiler and the water glass so that the water glass is attached directly and as close as possible to the boiler, the run of the tee or Y shall take the water glass fittings, and the side outlet or branch of the tee or Y shall take the fuel cut off or water feeding device. The ends of all nipples shall be reamed to full size diameter.

C) Fuel cutoffs and water feeding devices embodying a separate chamber shall have a vertical straightway drain pipe and a blowoff valve not less than 3/4 in. pipe size, located at the lowest point in the water equalizing pipe connections so that the chamber and the equalizing pipe can be flushed and the device tested.

7) H.B.S. 106 Stop Valves for Single Steam Boilers. When a stop valve is used in the supply pipe connection of a single steam boiler, there shall be one used in the return pipe connection.

8) H.B.S. 107 Stop Valves for Multiple Boiler Installations. A stop valve shall be used in each supply and return pipe connection of two or more boilers connected to a common system.

9) H.B.S. 108 General Requirements. Additional requirements stated in General Requirements for all Heating Boilers, Part H.B.C. (Section 120.500(f)), and in General Requirements for all Boilers (Section 120.700) shall also apply.

e) H.B.W. Heating Boilers—Water

f) H.B.W. 200 Safety Relief Valve Requirements.

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A) Each hot water heating boiler shall have at least one officially rated pressure relief valve set to relieve at or below the maximum allowable working pressure of the boiler. Each hot water supply boiler shall have at least one officially rated safety relief valve or at least one officially rated pressure-temperature relief valve of the automatic reseating type set to relieve at or below the maximum allowable working pressure of the boiler. Pressure relief valves officially rated as to capacity shall have pop action when tested by steam. When more than one safety relief valve is used on either hot water heating or hot water supply boilers, the additional valve or valves shall be officially rated and may be set within a range not to exceed 6 psi above the maximum allowable working pressure of the boiler up to and including 60 psi and 10 percent for those having a maximum allowable working pressure exceeding 60 psi. Safety relief valves shall be spring loaded without disk guides on the pressure side of the valve. Safety relief valves shall be so arranged that they cannot be reset to relieve at a higher pressure than the maximum permitted by this paragraph.

B) The safety relief valve shall be installed in accordance with and as required by Part H.B.S., H.B.G. and B.C. (Sections 120.500(d), 120.500(f), and 120.700).

C) Each safety relief valve shall have a substantial device which will allow positive lifting of the disk from its seat at least 1/16 in. where there is no pressure on the boiler.

D) No materials liable to fail due to deterioration or vulcanization when

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subject to saturated steam temperature corresponding to capacity test pressure shall be used for any part.

- E) ~~No safety relief valve shall be smaller than 3/4 in. nor larger than 4 1/2 in. standard pipe size, except that boilers having a heat input not greater than 15,000 BTU's/hr. may be equipped with a rated safety relief valve of 1/2 in. standard pipe size. The inlet opening shall have an inside diameter equal to or greater than the seat diameter. In no case shall the minimum opening through any part of the valve be less than 1/4 in. diameter or its equivalent area.~~

- F) ~~The required steam relieving capacity in pounds per hour, of the pressure relieving device or devices on a boiler shall be determined by dividing the maximum output in BTU at the boiler nozzle obtained by the firing of any fuel for which the unit is designed by 1000 or by multiplying the square feet of heating surface by 5. In many cases a greater relieving capacity of valves will have to be provided than the minimum specified by this Part. In every case, the requirements of Section 120.500(c)(1)(C) shall be met.~~

- G) ~~When operating conditions are changed, or additional boiler heating surface is installed, the valve capacity shall be increased, if necessary, to meet the new conditions and be in accordance with Section 120.500(c)(1)(H). The additional valves required, on account of changed conditions, may be installed on the outlet piping provided there is no intervening shut off or stop valve.~~

- H) ~~Safety relief valve capacity for each boiler shall be such that with maximum heat input the pressure cannot rise more~~

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~~than 6 psi above the maximum allowable working pressure for pressures up to and including 60 psi and 10 percent for maximum allowable working pressures over 60 psi.~~

- 2) ~~H.B.W. 201 Altitude Pressure Gages.~~

- A) ~~Each hot water boiler shall have an altitude or pressure gage connected to its flow connection in such a manner that it cannot be shut off from the boiler except by a cock with tee or leverhandle, placed on the pipe near the gage. The handle of the cock shall be parallel to the pipe in which it is located when the cock is open.~~

- B) ~~The scale on the dial of the altitude or pressure gage shall be graduated to not less than 1 1/2 nor more than 3 times the pressure at which the safety relief valve is set. The gage shall be provided with effective stops for the indicating pointer at the zero point and at the maximum pressure point.~~

- C) ~~Piping or tubing for altitude or pressure gage connections shall be of nonferrous metal when smaller than 1 in. pipe size.~~

- 3) ~~H.B.W. 202 Thermometers. Each hot water boiler shall have a thermometer so located and connected that it shall be easily readable when observing the water pressure or altitude. The thermometer shall be so located that it shall at all times indicate the temperature in degrees Fahrenheit of the water in the boiler at or near the outlet.~~

- 4) ~~H.B.W. 203 Temperature Control.~~

- A) ~~Each individual automatically fired hot water boiler, in addition to the operating control used for normal boiler operation, shall have a separate high~~

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limit temperature actuated combustion control that will cut off the fuel supply to prevent the temperature of the water from rising over 250 F. Separate controls may have a common connection to the boiler.

B) In a multiple boiler installation where the operating temperature actuated control may be installed in a header or other point common to all boilers, and can be isolated from any or all of the boilers, there shall be at least one high limit temperature actuated combustion control mounted on each boiler.

5) H.B.W. 204 Low Water Fuel Cut-off.

A) Each automatically fired hot water heating boiler with heat input greater than 400,000 BTU per hr. shall have an automatic low water fuel cut off which has been designed for hot water service, and it shall be so located as to automatically cut off the fuel supply when the surface of the water falls to the level established in Section 120.500(c)(5)(B) below.

B) As there is no normal waterline to be maintained in a hot water heating boiler, any location of the low water fuel cut off above the lowest safe permissible water level established by the boiler manufacturer is satisfactory.

C) A coil-type boiler or a watertube boiler with heat input greater than 400,000 BTU per hr. requiring forced circulation to prevent overheating of the coils or tubes shall have a flow sensing device installed in the outlet piping in lieu of the low water fuel cutoff required in Section 120.500(c)(5)(A) above to automatically cut off the fuel supply

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when the circulating flow is interrupted.

6) H.B.W. 205 Stop Valves for Single Hot Water Heating Boilers.

A)

1) Stop valves shall be located at an accessible point in the supply and return pipe connections, as near the boiler nozzle as is convenient and practicable, of a single hot water heating boiler installation to permit draining the boiler without emptying the system.

1) When the boiler is located above the system and can be drained without draining the system, stop valves may be eliminated.

B) For multiple boiler installations, a stop valve shall be used in each supply and return pipe connection of two or more boilers connected to a common system.

7) H.B.W. 206 Provisions for Thermal Expansion in Hot Water System.

A) All hot water heating systems incorporating hot water tanks or fluid relief columns shall be so installed as to prevent freezing under normal operating conditions.

B) Systems with an open expansion tank require an indoor over-flow from the upper portion of the expansion tank in addition to an open vent, the indoor overflow to be carried within the building to a suitable plumbing fixture or to the basement.

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C) Closed type systems require an airtight tank or other suitable air cushion to be installed that will be consistent with the volume and capacity of the system and shall be suitably designed for a hydrostatic test pressure of 2 1/2 times the allowable working pressure of the system. Expansion tanks designed to operate at or above 30 psi shall be constructed in accordance with ASME Code, Section VIII. Provisions shall be made for draining the tank with out emptying the system, except for prepressurized tanks.

D) Expansion Tank Capacities for Gravity-Hot Water Systems.

Sq. Ft. of Installed Equivalent Tank Capacity Direct Radiation	Tank Capacity Gallons
Up to 350	18
Up to 450	21
Up to 650	24
Up to 900	30
Up to 1100	35

Sq. Ft. of Installed Equivalent Tank Capacity Direct Radiation	Tank Capacity Gallons
Up to 1400	40
Up to 1600	2 30
Up to 1800	2 30
Up to 2000	2 35
Up to 2400	2 40

Agency Note: For systems with more than 2400 sq. ft. of installed equivalent direct water radiation, the required capacity of the cushion tank shall be increased on the basis of one gallon tank capacity per 33 sq. ft. of additional equivalent direct radiation.

E) Expansion Tank Capacities for Forced Hot Water Systems. Based on average operating water temperature 195 F., a fill pressure 12 psig., and maximum operating pressure 30 psig.

System Volume Gallons	Tank Capacity Gallons
100	15
200	30
300	45
400	60
500	75
1000	150
2000	300

Agency Note: Included volume water in boiler, radiation and piping, not including expansion tank. A procedure for estimating system volume and for determining expansion tank sizes for other design conditions may be referred to in Chapter 10 (Basic Water System Design) of the 1964 edition of the ASHRAE Guide and Data Book Applications (New York: American Society of Heating, Refrigerating and Air Conditioning Engineers).

8) H.B.W. 207 Additional Requirements Stated in Part H.B.G. (Section 120.500(f) General Requirements for all Heating Boilers) and Part B.G. (Section 120.700 General Requirements for All Boilers) shall also apply.

d) H.W.S. Hot Water Supply Boilers

1) H.W.S. 300 Scope: The rules of this Section in conjunction with the general requirements for all boilers (HBC Section 120.500(f)) cover minimum requirements of installation, operation, and inspection of hot water supply tanks and heaters, which are directly fired with gas, oil, electricity, or solid fuel.

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when any of the following limitations are exceeded:

- A) Heat input 200,000 BTU per hour.
- B) Water temperature of 200 degrees F.
- C) Nominal water containing capacity of 120 gallons.

2) H.W.S. 301 Safety Relief Valves. Each hot water supply boiler must have an ASME and National Board safety relief valve installed on the hot water outlet line of the boiler and conforming to the requirements for Hot Water Heating Boilers H.B.W. 200. (Section 120.500(e)(1)).

3) H.W.S. 302 Safety Relief Valves for Tanks and Heat Exchangers

A) When a hot water supply is heated indirectly by steam in a coil or pipe, the pressure of the steam used shall not exceed the safe working pressure of the hot water tank, and a safety relief valve at least 1 in. in diameter, set to relieve at or below the maximum allowable working pressure of the tank, shall be applied on the tank.

B) When high temperature water is circulated through the coils or tubes of a heat exchanger to warm water for space heating or hot water supply, the heat exchanger shall be equipped with one or more officially rated safety relief valves, set to relieve at or below the maximum allowable working pressure of the heat exchanger, and of sufficient rated capacity to prevent the heat exchanger pressure from rising more than 10 percent above the maximum allowable working pressure of the vessel.

C) When high temperature water is circulated through the coils or tubes of

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a heat exchanger to generate low pressure steam, the heat exchanger shall be equipped with one or more officially rated safety valves, set to relieve at a pressure not to exceed 15 psi., and of sufficient rated capacity to prevent the heat exchanger pressure from rising more than 5 psi. above the maximum allowable working pressure of the vessel.

4) H.W.S. 303 Thermometers. Each Hot Water Supply Boiler shall have a thermometer installed conforming to the requirements of H.B.W. 202 (Section 120.500(e)(3)).

5) H.W.S. 304 Temperature Controls shall conform to the requirements of H.B.W. 203 (Section 120.500(e)(4)).

6) H.W.S. 305 Stop Valves Requirements for Hot Water Heating Boilers

A) Stop valves shall be placed in the supply and return pipe connections of single hot water heating boiler installation to permit draining the boiler without emptying the system.

B) For Multiple Boiler Installations, A stop valve shall be used in each supply and return pipe connection of two or more boilers connected to a common system.

7) H.W.S. 306 Altitude or Pressure Gage. Each Hot Water Supply Boiler shall have an altitude or pressure gage connected to it or its flow connection conforming to the requirements of H.B.W. 201 (Section 120.500(e)(2)).

8) H.W.S. 307 Provisions for Thermal Expansion in Hot Water Supply Systems. If a system is equipped with a check valve or pressure reducing valve in the cold water inlet line, consideration should be given to the installation of an air tight expansion

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~~tank or other suitable air cushion. Otherwise, due to the thermal expansion of the water, the safety relief valve may life periodically. If an expansion tank is provided, it shall be constructed in accordance with the ASME Code, Section VIII, Division 1, for a maximum allowable working pressure equal to or greater than the water heater. Except for prepressurized tanks, provisions shall be made for draining the tank without emptying the system.~~

- 9) ~~H.W.S. 308 Additional requirements stated in General Requirements for All Heating and Hot Water Supply Boilers, Part H.B.C. (Section 120.500(f) and in General Requirements for all Boilers, Part B.C. (Section 120.700).~~

e) ~~H.L.W. Lined Potable Water Heaters~~

- 1) ~~H.L.W. 400 Scope~~

A) ~~The rules in Part H.L.W. (Section 120.500(e)) are applicable to water heaters with linings providing corrosion resistance for supplying potable hot water for commercial purposes other than for space heating. Linings are limited to porcelain enameled (glass lined) galvanizing, and cement lined.~~

B) ~~Glass lined water heaters are defined as those with fired glass internal coatings which are hot water resistant and provided with cathodic protection. Cathodic protection shall be provided for each glass lined water heater with a cored magnesium anode having a weight of magnesium of not less than 25 grams for each square foot of inner vessel area and the anode shall be electrically grounded to the vessel.~~

C) ~~Galvanized water heaters are defined as those that are hot zinc dipped after the assembly has been welded and provided with cathodic protection. Cathodic~~

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~~protection shall be provided for each galvanized water heater with a cored magnesium anode having a weight of magnesium of not less than 25 grams for each square foot of inner tank area and the anode shall be electrically grounded to the vessel.~~

- D) ~~Cement lined water heaters are those that are lined with a low soluble, hydraulic, cement lining material containing not more than 35 percent calcium oxide, and not less than 25 percent silicon.~~

- 2) ~~H.L.W. 401 Pressure Relieving Valve Requirements~~

- A) ~~Safety Relief Valve Requirements for Water Heaters~~

i) ~~Each water heater shall have at least one officially rated safety relief valve or at least one officially rated pressure temperature relief valve of the automatic reseating type set to relieve at or below the maximum allowable working pressure of the heater. Safety relief valves officially rated as to capacity shall have pop action when tested by steam. When more than one safety relief valve is used on water heaters, the additional valve or valves shall be officially rated and may be set within a range not to exceed 10 percent of the set pressure of the first valve. Safety relief valves shall be spring loaded. Safety relief valves shall be so arranged that they cannot be reset at a higher pressure.~~

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ii) No material liable to fail due to deterioration or vulcanization when subjected to saturated steam pressure corresponding to capacity test pressure shall be used for any part.

iii) No safety relief valve shall be smaller than 3/4 in. nor larger than 4 1/2 in. standard pipe size. The inlet opening shall have an inside diameter approximately equal to, or greater than, the seat diameter. In no case shall the minimum opening through any part of the valve be less than 1/4 inch diameter or its equivalent area.

iv) The required relieving capacity, in BTU per hour, of the pressure relieving device or devices on a heater shall be equal to or greater than the maximum input BTU rate. The relieving capacity for electric water heaters shall be 3500 BTU per hour per kilowatt input. In every case, the requirements of HLW 400.1(f) (Section 120.500(e)(1) (A)) shall be met.

v) When operating conditions are changed, or additional heater heating surface is installed, the valve capacity shall be increased, if necessary, to meet the new conditions and shall be in accordance with Par. HLW 400.1(f). (Section 120.500(e)(1) (A)). The additional valves required, on account of changed conditions, may be installed on the outlet piping provided there is no intervening shut-off or stop valve.

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vi) Safety relief valve capacity for each water heater shall be such that, with the fuel burning equipment installed and operated at maximum capacity the pressure cannot rise more than 10 percent of maximum allowable working pressure.

3) H.L.W. 402 Minimum Requirements for Safety Relief Valves. All safety relief valves shall meet the requirements of paragraphs H.B.S. 100 (Section 120.500(b)(1)) and H.B.G. 506-511 (Section 120.500(f)(7) through (12)).

4) H.L.W. 403 Mounting Safety Relief Valves

a) Permissible Mountings. Safety relief valves shall be connected to the top of heaters or directly to a tapped or flanged opening in the heater, to a fitting connected to the heater by a short nipple, to a Y base, or to a valveless steam pipe between adjacent heaters or to a valveless header connecting steam or water outlets on the same heater. Safety relief valves shall be installed with their spindles vertical or horizontal. The centerline of the safety relief valve connection shall be no lower than 4 inches from the top of the shell.

b) Requirements for Common Connection for Two or More Valves.

i) When a heater is fitted with two or more safety relief valves on one connection, this connection shall have a cross-sectional area not less than the combined areas of inlet connections of all the safety relief valves with which it connects.

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- ii) When a Y base is used, the inlet area shall be not less than the combined outlet areas. When the size of the heater requires a safety relief valve larger than 4 1/2 in. diameter, two or more valves having the required combined capacity shall be used. When two or more valves are used on a heater, they may be single or directly attached, or mounted on a Y base.

C) ~~Threaded Connections. A threaded connection may be used for attaching a valve.~~

D) ~~Prohibited Mountings. Safety relief valves shall not be connected to an internal pipe in the heater, or a cold water feed line connected to the heater.~~

E) ~~Use of Shut-off Valves Prohibited. No shut-off of any description shall be placed between the safety relief valve and the boiler, nor on discharge pipes between such valves and the atmosphere. The discharge piping must comply with the H.B.C. 511 (Section 120-500(f)(12)).~~

5) H.L.W. 404. When water supply to water heater exceeds 75 percent of the design pressure of the heater, a pressure reducing valve is required.

6) H.L.W. 405. Provisions for Thermal Expansion in Hot Water Systems. If a system is equipped with a check valve or pressure reducing valve in the cold water inlet line, consideration should be given to the installation of an air tight expansion tank or other suitable air cushion. Otherwise, due to the thermal expansion of the water, the safety relief valve may lift periodically. If an expansion tank is provided, it shall be constructed in accordance with ASME Code, Section VIII,

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Division 1 for a maximum allowable working pressure equal to or greater than the water heater. Except for prepressurized tanks, provision shall be made for draining the tank without emptying the system.

7) H.L.W. 406 Stop Valves. Stop valves should be placed in the supply and discharge pipe connections of a water heater installation to permit draining the heater without emptying the system. The temperature and limit controls must meet the requirements of Part H.W.S. (Section 120-500(d)) and H.B.C. (Section 120-500(f)) of this Part.

8) H.L.W. 407 Hydrostatic Test

A) All water heaters shall be subject to a hydrostatic test of 1 1/2 times the maximum allowable working pressure, with the exception that the test pressure for glass lined vessels shall be at least equal to, but not exceeding, the maximum allowable working pressure to be marked on the vessel. Vessels which are to be galvanized or cement lined may be pressure tested either before or after galvanizing or cement lining.

B) While under the hydrostatic test pressure an inspection for leakage shall be made of all joints and connections. In making hydrostatic pressure tests the pressure shall be under such control that in no case shall the required test pressure be exceeded by more than 10 psi.

f) H.B.C. General Requirements for All Heating Boilers and Hot Water Supply Boilers

1) H.B.C. 500 Instruments, Fittings and Controls Mounted Inside Boiler Jackets. Any or all instruments, fittings and controls required by this Part may be installed inside of boiler jackets provided the water gage and pressure gage on a steam boiler or the

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thermometer and pressure gage on a water boiler are visible through an opening or openings at all times.

2+

H.B.C. 501 Electrical Code Compliance. All field wiring for controls, heat generating apparatus and other appurtenances necessary for the operation of the boiler or boilers should be installed in accordance with the provisions of the National Electrical Code (Boston: National Fire Protection Agency, frequency varies triennial beginning 1959) and/or should comply with the applicable local electrical codes. All boilers supplied with factory mounted and wired controls, heat generating apparatus and other appurtenances necessary for the operation of the boilers should be installed in accordance with the provisions of the nationally recognized standards.

3+

H.G.B. 502 Type Circuitry to be Used. Whether field or factory wired, the control circuitry shall be positively grounded and shall operate at 150 volts or less. One of the two following systems may be employed to provide the control circuit.

A+

Two wire nominal 120 volt system with separate equipment ground conductor as follows.

i+

This system shall consist of the line, neutral and equipment ground conductors. The control panel frame and associated control circuitry metallic enclosures shall be electrically continuous and be bonded to the equipment ground conductor.

ii+

The equipment ground conductor and the neutral conductor shall be bonded together at their origin in the electrical system as required by the National

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Electrical Code (see reference in Section 120.500(f)(2)).

iii+

The line side of the control circuit shall be provided with a time delay fuse sized as small as practicable.

B+

Two wire nominal 120 volt system obtained by using an isolation transformer.

i+

The two wire control circuit shall be obtained from the secondary side of an isolation transformer. One wire from the secondary of this transformer shall be electrically continuous and shall be bonded to a convenient cold water pipe. All metallic enclosures of control components shall be securely bonded to this ground control circuit wire. The primary side of the isolation transformer will normally be a two wire source with a potential of 230 or 209 volts or 440 volts.

ii+

Both sides of the two wire primary circuit shall be fused. The hot leg on the load side of the isolation transformer shall be fused as small as practicable and in no case fused above the rating of the isolation transformer.

4+

H.B.C. 503 Limit Controls. Limit controls shall be wired on the hot or line side of the control circuit.

5+

H.B.C. 504 Shut Down Switches and Circuit Breakers. A manually operated remote heating plant shut down switch or circuit breaker should be located just outside the boiler room door and marked for easy identification.

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Consideration should also be given to the type and location of the switch to safeguard against tampering. If the boiler room door is on the building exterior the switch should be located just inside the door. If there is more than one door to the boiler room, there should be a switch located at each door.

- 6+ H.B.G. 505 Controls and Heat Generating Apparatus
- A+ Oil and gas fired and electrically heated boilers should be equipped with suitable primary (flame safeguard) safety controls, safety limit switches, and burner or electric elements as required by a nationally recognized standard.
- B+ The symbol of the certifying organization which has investigated such equipment as having complied with a nationally recognized standard shall be affixed to the equipment and shall be considered as evidence that the unit was manufactured in accordance with that standard.
- 7+ H.B.G. 506 Mounting Safety and/or Safety Relief Valves. Safety valves and/or safety relief valves shall be connected to the top of boilers or directly to a tapped or flanged opening in the boiler, to a fitting connected to the boiler by a short nipple, to Y base, to a valveless steam pipe between adjacent boilers, or to a valveless header connecting steam or water outlets on the same boiler. Safety valves and/or safety relief valves shall be installed with their spindles vertical. The opening or connection between the boiler and any safety valve or safety relief valve shall have at least the area of the valve inlet.
- 8+ H.B.G. 507 Requirements for Common Connections for Two or More Valves.

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- A+ When a boiler is fitted with two or more safety valves on one connection, this connection shall have a cross sectional area not less than the combined areas of inlet connections of all the safety valves with which it connects.
- B+ When a Y base is used, the inlet area shall be not less than the combined outlet areas. When the size of the boiler requires a safety valve or safety relief valve larger than 4 1/2 inch diameter, two or more valves having the required combined capacity shall be used. When two or more valves are used on a boiler, they may be single, directly attached, or mounted on a Y base.
- 9+ H.B.G. 508 Threaded Connections. A threaded connection may be used for attaching a valve.
- 10+ H.B.G. 509 Prohibited Mountings. Safety and safety relief valves shall not be connected to an internal pipe in the boiler.
- 11+ H.B.G. 510 Use of Shut off Valves Prohibited. No shut off of any description shall be placed between the safety or safety relief valve and the boiler, nor on discharge pipes between such valves and the atmosphere.
- 12+ H.B.G. 511 Safety and Safety Relief Valve Discharge Piping.
- A+ When a discharge pipe is used, its internal cross sectional area shall not be less than the full area of the valve outlet or of the total of the valve outlets discharging thereto and shall be as short and straight as possible and so arranged as to avoid undue stress on the valve or valves. When an elbow is placed on a safety or safety relief valve discharge pipe, it shall be located close to the valve outlet.

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- B) ~~The discharge from safety or safety relief valves shall be so arranged that there will be no danger of scalding attendants. When an elbow is placed on a safety or safety relief valve discharge pipe, it shall be located close to the valve outlet.~~

- 13) ~~H.B.G. 512 Provisions for Expansion and Contraction. Provisions shall be made for the expansion and contraction of steam and hot water mains connected to boilers by providing substantial anchorage at suitable points and by providing swing points when boilers are installed in batteries, so there will be no undue strain transmitted to the boilers.~~

- 14) ~~H.B.G. 513 Return Pipe Connections. The return pipe connections of each boiler supplying a gravity return steam heating system shall be so arranged as to form a loop substantially so that the water in each boiler cannot be forced out below the safe water level.~~

- 15) ~~H.B.G. 514 Feedwater Connections.~~

- A) ~~Feedwater, makeup water or water treatment shall be introduced into a boiler through the return piping system or through an independent feedwater connection which does not discharge against parts of the boiler exposed to direct radiant heat from the fire. Feedwater, makeup water or water treatment shall not be introduced through openings or connections provided for inspection or cleaning, safety valve, safety relief valve, surface or main blowoff, water column, water gage glass, pressure gage or temperature gage.~~

- B) ~~Feedwater pipe shall be provided with a check valve near boiler and a stop valve~~

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~~or cock between the check valve and the boiler or return pipe system.~~

- 16) ~~H.B.G. 515 Oil Heaters.~~

- A) ~~A heater for oil or other liquid harmful to boiler operation shall not be installed directly in the steam or water space within a boiler.~~

- B) ~~Where an external type heater for such service is used, means shall be provided to prevent the introduction into the boiler of oil or other liquid harmful to boiler operation.~~

- 17) ~~H.B.G. 516 Type of Stop Valve. When stop valves over 2 in. in size are used, they shall be of the outside screw and yoke rising spindle type or of such other type as to indicate at a distance by the position of its spindle or other operating mechanism whether it is closed or open, and the wheel may be carried either on the yoke or attached to the spindle. If the valve is of the plug cock type, it shall be fitted with a slow opening mechanism and an indicating device, and the plug shall be held in place by a guard or gland.~~

- 18) ~~H.B.G. 517 Identification of Stop Valves by tags. When stop valves are used, they shall be properly designated substantially as follows by tags of metal or other durable material fastened to them:~~

~~Supply Valve Number (-)
Do Not Close Without Also
Closing Return Valve
Number (-)
Return Valve Number (-)
Do Not Close Without Also
Closing Supply Valve
Number (-)~~

- 19) ~~H.B.G. 518 Bottom Blowoff or Drain Valve.~~

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- A) Each boiler shall have a bottom blowoff or drain pipe connection fitted with a valve or cock connected with the lowest water space practicable, with the minimum size of blowoff piping and valves as shown in the following table.

SIZE OF BOTTOM BLOWOFF PIPING AND VALVES		
Minimum Required Safety or Safety Relief Valve Capacity lb. of Steam per Hour	Blowoff Valves Size, inches	
Up to 500	3/4	
501 to 1250	1	
1251 to 2500	1 1/4	
2501 to 6000	1 1/2	
6001 and larger	2	

- i) The term blowoff valve as used in this section means all blowoff valves, drain valves, and pipe connections.
- ii) To determine the discharge capacity of the safety relief valve in terms of BTU., the relieving capacity in pounds of steam per hour is multiplied by 1000.
- B) Any discharge piping connected to bottom blowoff and/or bottom drain connection shall be full sized to the point of discharge.

(Source: Repealed at Ill. Reg. _____, effective _____).

Section 120.600 Existing Installation of Pressure Vessels

- a) BPV-1. Maximum Allowable Working Pressure for Standard Pressure Vessels. ~~(Excluding Vessels of Special Design and Construction).~~ The maximum allowable working pressure for standard pressure vessels shall be determined in accordance with the applicable provisions of the ASME Code or API/510 Code under which they were constructed and stamped. ~~or to a later 510 edition of the ASME Boiler and Pressure Vessel Code and such rerating has been performed in accordance with the rules of said later edition. The maximum allowable working pressure shall not be increased to a greater pressure than shown on the manufacturer's name plate stamping and data report.~~

- ba) BPV-2. Maximum Allowable Working Pressure for Nonstandard Pressure Vessels.

- 1) For Internal Pressure. The maximum allowable working pressure on the shell of a nonstandard pressure vessel shall be determined by the strength of the weakest course computed from the thickness of the plate, the tensile strength of the plate, the efficiency of the longitudinal joint, the inside diameter of the course and the factor of safety set by this Part permitted below.

$$TSE = \frac{\text{Maximum Allowable Working Pressure, PSIG}}{RFS}$$

$$TS \times t \times E \sqrt{R \times FS} = \text{Maximum Allowable Working Pressure, PSIG}$$

Where:

- TS = ultimate tensile strength of shell plate, psi. When the tensile strength of steel plate is not known, it shall be taken as 55,000 psi for temperature not exceeding 650F.
- t = minimum thickness of shell plate of weakest course, inches.

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E =efficiency of longitudinal joint, depending upon construction. Use the following value:

For riveted joints	calculated
riveted efficiency	
For Fusion-Welded and Brazed Joints:	
Single lap welded.....	40
Double lap welded.....	60
Single butt welded.....	60
Double butt welded.....	75
Forge welded.....	70
Brazed steel.....	80

For riveted joints -- calculate riveted joint efficiency in accordance with rules given in Section I, Part PR, of the 1971 ASME Code for power Boilers.

R =inside radius for weakest course of shell, inches, provided the thickness does not exceed 10 percent of the radius. If the thickness is over 10 percent of the radius, the outer radius shall be used.

FS =factor of safety allowed by these rules permitted shall be a minimum of 5.0.

2) For External Pressure. The maximum allowable working pressure for cylindrical nonstandard pressure vessels subjected to external or collapsing pressure shall be determined by the Rules in Par. UG-27 and UG-28 of Section VIII of the ASME Code.

3) Factors of Safety. The minimum factor of safety may be increased when deemed necessary by the Inspector to insure the operation of the vessel within safe limits. The condition of the vessel and the particular service to which it is subject will be the determining factors.

Containers Safety Relief Valve Settings

4) End Closures. The maximum allowable working pressure permitted for formed heads under pressure shall be determined by using the appropriate formulas from Par. UG-32, UG-33, or UG-35 of Section VIII, ASME Code and the tensile strength and factors of safe given in Par. Ekv-1 and Ekv-2 (a) (c) (Sections 120.600 (a) and 120.600 (b) (1) (3)) above.

Ek-3. Inspection of Inaccessible Parts. Where in the opinion of the Inspector as a result of conditions disclosed at the time of inspection it is advisable to remove the interior of exterior lining, covering, or brickwork to expose certain parts of the vessel not normally visible, the owner or user shall remove such material to permit proper inspection and thickness measurement of any part of the vessel.

Ek-4. Safety Appliances. Each pressure vessel shall be protected by such safety and relief valves and indicating and controlling devices as will insure its safe operation. These valves cannot readily be rendered inoperative. The relieving capacity of safety valves shall be such as to prevent a rise of pressure in the vessel of more than 10 percent above maximum allowable working pressure, taking into account the effect of static head. Safety valve discharges shall be carried to a safe place where the vessel is exposed to fire or other unexpected sources of external heat, the safety valves shall be capable of preventing the pressure of rising more than 20 percent above the maximum allowable working pressure.

eb) ASME Containers for LP Liquefied Petroleum Gas not otherwise exempt (see section 120.205) shall be equipped with ASME Code rated stamped spring-loaded safety relief valves and the start to discharge setting of such safety relief valves with relation to the design pressure of the container shall be in accordance with the following table:

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Construction Code	Minimum	Maximum
All ASME Codes prior to the 1949 Edition, and the 1949 Edition, paragraphs U-68 and U-69	110%	125%

ASME Code, 1949 Edition, Paragraphs U-200 and U-201 and all ASME Codes later than 1949

§C) ~~RPV-5-~~ Repairs and Renewals of Fittings and Appliances Appurtenances. Whenever repairs are made to fittings and appurtenances or it becomes necessary to replace them, the work must comply with the requirements for new installations.

d) Conditions not Covered by these Rules. All cases not specifically covered by these Rules shall be treated as new installations. Existing standard and non-standard pressure vessels shall be governed by current ASME/National Board Inspection Code requirements or the requirement of the ASME Codes in effect at the time of construction. Questions concerning existing non-standard pressure vessels may be referred to the Chief Inspector. Appeal of a decision of the Chief Inspector may be made to the Board.

Source: Amended at III.Reg. _____, effective _____).

Section 120.700 General Requirements for all Boilers and Pressure Vessels (Repealed)

- a) ~~BC-1-~~ Inspection of Boilers and Pressure Vessels. All boilers and pressure vessels not exempted by this Part and which are subject to regular inspections as provided for in Section 120.20 shall be prepared for such inspections as required in BC-2 (Section 120.700(b)).
- b) ~~BC-2-~~ Preparation for Inspection. The owner or user shall prepare each boiler or pressure vessel for internal inspection, and shall prepare for and apply the hydrostatic test, whenever necessary, on the date specified by the

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~~Inspector, which date shall be not less than seven (7) days after the date of notification.~~

1) ~~Boilers. The owner or user shall prepare a boiler for internal inspection in the following manner.~~

A) ~~Water shall be drawn off and the boiler washed thoroughly.~~

B) ~~Manhole and handhole plates, washout plugs and inspection plugs in water column as required by the Inspector shall be removed. The furnace and combustion chambers shall be thoroughly cooled and cleaned.~~

C) ~~All grates of internally fired boilers shall be removed.~~

D) ~~At each annual inspection brickwork shall be removed as required by the Inspector in order to determine the condition of the boiler, header, furnace, supports or other parts.~~

E) ~~The pressure gage shall be removed for testing.~~

F) ~~Any leakage of steam or hot water into the boiler shall be prevented by disconnecting the pipe or valve at the most convenient point.~~

G) ~~Before opening the manhole or handhold covers and entering any parts of the steam generating unit connecting to common header with other boilers, the nonreturn and steam stop valves must be closed, tagged and preferably padlocked, and drain valves or cocks between the two valves opened. Blowoff lines, where practicable, shall be disconnected between pressure parts and valves. All drains and vent lines shall be opened.~~

2) ~~Pressure Vessels. The nature and the extent of the work required to be done to prepare a pressure vessel for inspection will vary~~

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quite widely. If the inspection is to be external only, no advance preparation is required other than that needed to afford reasonable means of access to the vessel where necessary; and that in the case of combined internal and external inspection of small vessel of simple construction handling air, steam or similar non-toxic or non-explosive gases of vapors (as, for example, most air receivers,) very little preparation is required other than isolating the vessel from its source of pressure, providing reasonable means of access where necessary and removing manhole plates and inspection opening closures. As to the other cases, preparation should include draining out any liquid that may be present, venting and purging the vessel where necessary to free it of toxic, explosive or other harmful substances; removing manhole plates and inspection opening closures as required; cooling and cleaning the interior of the vessel as required; and removing such internal fittings and appurtenances as might reasonably need to be removed for satisfactory inspection of the interior of the vessel.

4) BG-3. Boiler and Pressure Vessels Improperly prepared for inspection. If a boiler or a pressure vessel has not been properly prepared for internal inspection, or if the owner or user fails to comply with the requirements for hydrostatic test as set forth in this Part, the inspector may decline to make the inspection or test and the Inspection Certificate shall be withheld until the owner or user complies with the requirements.

4) BG-4. Removal of Covering to Permit Inspection. If the boiler or pressure vessel is jacketed so that the longitudinal seams of shells, drum, or domes cannot be seen, sufficient jacketing setting wall, or other form of casing or housing shall be removed to permit reasonable inspection of the seams and so that the size of riveter pitch of the rivets, and other data necessary to determine the safety of the boiler or pressure vessel may be obtained, providing such information cannot be determined by other means.

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4) BG-5. Lap Seam Crack. The shell or drum of the boiler or pressure vessel, in which a lap seam crack is discovered along a longitudinal riveted joint, shall be immediately discontinued from use. If the boiler is not more than 15 years of age, a complete new course of the original thickness may be installed at the discretion of the Inspector and after approval by the Chief Inspector. Patching is prohibited. (By "lap seam crack" is meant the typical crack frequently found in lap seams, extending parallel to the longitudinal joint and located either between or adjacent to rivet holes.)

4) BG-6. Hydrostatic Pressure Test.

1) High Pressure Boilers shall be subjected to a hydrostatic pressure test applied by raising the pressure gradually to be 1 1/2 times the maximum allowable work pressure. The pressure shall be under proper control at all times.

2) Low Pressure Boilers shall be subjected to a hydrostatic pressure test of the greater of 60 psi or 1 1/2 times the maximum allowable working pressure with the exception of Section 120.700(f)(3) below. While under the hydrostatic test pressure an inspection for leakage shall be made of all joints and connections. The pressure shall be under proper control and that in no case shall the required test pressure be exceeded by more than 10 psi.

3) Low Pressure Cast Iron Boilers.

A) The assembled steam boiler shall be subject to a hydrostatic test of not less than 45 psi.

B) The assembled Hot Water Boiler shall be subject to a hydrostatic test pressure not less than 1 1/2 times the maximum allowable working pressure.

4) Pressure Vessels. Pressure retaining portions of the vessels shall be subjected to a pressure test after initial

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fabrication. Vessels will be subjected to either hydraulic or pneumatic testing or to a combined pneumatic hydraulic test as provided by Section VII of the ASME Code. The hydraulic test pressure will not be less than 1 1/2 times the maximum allowable working pressure multiplied by the lowest ratio of the stress value S for the test temperature of the vessel to the stress value S at the design temperature. The pneumatic test pressure shall be at least 1 1/4 times the maximum allowable working pressure multiplied by the lowest ratio of the stress value S for the test temperature of the vessel to the stress value S for the design temperature. For combined pneumatic hydraulic tests, the liquid level shall be set so that the maximum stress including the stress produced by pneumatic pressure does not exceed 1 1/2 times the allowable stress value of the vessel material multiplied by the applicable joint efficiency.

g) ~~BC 7. Safety Appliance. No person shall remove or tamper with any safety appliance prescribed by these Rules except for the purpose of making repairs. The resetting of safety appliance shall be done with the approval of an inspector.~~

h) ~~BC 8. Automatic Low Water Fuel Cutoff and/or Water Feeding Device. Each automatically fired low pressure steam vapor system boiler shall be equipped with an automatic low water fuel cutoff so located as to automatically cut off the fuel supply when the surface of the water falls to the lowest safe line. If a water feeding device is installed, it shall be so constructed that the water inlet valve cannot feed water into the boiler through the float chamber and so located as to supply requisite feedwater. The lowest safe waterline should be not lower than the lowest visible part of the water glass. Such fuel or feedwater control device may be attached direct to a boiler or to the tapped openings provided for attaching a water glass direct to a boiler, provided that for low pressure boilers such connections from the boiler are nonferrous tees or y's not less than 1/2 in. pipe size between the boiler and the water glass, so that~~

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~~the water glass is attached direct and as close as possible to the boiler, the straightway tapping of the Y or tee to take the water glass fittings, the side outlet of the Y or tee to take the fuel cutoff or water feeding device. The ends of all nipples shall be reamed to full size diameter. Designs embodying a float and a float bowl shall have a vertical straight a way valve drain pipe at the lowest point in the water equalizing pipe connection by which the bowl and the equalizing pipe can be flushed and the device tested.~~

i) ~~BC 9. Pressure Reducing Valves. Where pressure reducing valves are used, one or more relief or safety valve shall be provided on the low pressure side of the reducing valve when the piping equipment on the low pressure side does not meet the requirements for the full initial pressure. The relief or safety valve shall be located adjoining or as close as possible to the reducing valve. Proper protection shall be provided to prevent injury or damage to be caused by the escaping fluid from the discharge of relief or safety valves if vented to the atmosphere. The combined discharge capacity of the relief valves or safety valves shall be such that the pressure rating of the lower pressure piping or equipment shall not be exceeded in case the reducing valve sticks open. The use of hand controlled bypasses around reducing valves is permissible. If a bypass is used around the reducing valves, the safety valve is required on the low pressure side and shall be of sufficient capacity to relieve all the fluid that can pass through the bypass without over pressuring the low pressure side. It is mandatory that a pressure gage be installed on the low pressure side of a reducing valve.~~

j) ~~BC 10. Blowoff Equipment. The blowdown from a boiler or boilers that enters a sanitary system or blowdown which is considered a hazard to life or property shall pass through some form of blowoff equipment that will reduce pressure and temperature as required hereinafter. The temperature of the water leaving the blowoff equipment shall not exceed 150 F. The pressure of the blowdown leaving any type of blowdown~~

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equipment shall not exceed 5 psig. The blowoff piping and fittings between the boiler and the blowoff tank shall comply with Par. PG 59 of the ASME Code, Section I. All materials used in the fabrication of boiler blowoff equipment shall comply with Section II of the ASME Code. All blowoff equipment shall be equipped with openings to facilitate cleaning and inspection. Blowoff equipment shall conform to the provision set forth in the Rules for National Board Blowoff Equipment.

k) BG 11. Location of Discharge Piping Outlets
The discharge of safety valves, blowoff pipes and other outlets shall be located so as to prevent injury to personnel.

l) BG 12. Electric Steam Generators. All appliances required for electric steam generators shall be attached in accordance with the following rules.

1) A cable at least as large as one of the incoming power lines to the generator shall be provided for grounding the generator shell. This cable shall be permanently fastened on some part of the generator and shall be grounded in an approved manner.

2) A suitable screen or guard shall be provided around high tension bushings and a sign posted warning of high voltage. This screen or guard shall be so located that it will be impossible for anyone working around the generator to accidentally come in contact with the high tension circuits. When adjusting safety valves, the power circuits to the generator shall be open. The generator may be under steam pressure but the power line shall be open while the operator is making the necessary adjustments.

3) Each KW of electrical energy consumed by an electric steam generator operating at maximum rating shall be considered the equivalent of 1 sq. ft. of heating surface of a fire tube boiler when determining the required amount of safety valve capacity.

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4) All electrically heated boilers, in addition to the foregoing requirements, shall meet the applicable standards of the Underwriters' Laboratories, Inc., on the completed unit and shall be listed under the applicable Section of the Underwriters' Laboratory Electrical Appliance and Utilization Equipment List, 1968 Edition, with such revisions or later issues of either the foregoing and amendments and interpretations thereto as are approved and adopted pursuant to the provisions of this Act.

m) BG 13. Boiler Door Latches.

1) A water tube boiler shall have the firing doors of the inward opening type, unless such doors are provided with substantial and effective latching or fastening devices or otherwise so constructed as to prevent them, when closed, from being blown open by pressure on the furnace side. These latches or fastenings shall be of the positive self locking type. Friction contacts, latches, bolts actuated by springs shall not be used. The foregoing requirements for latches or fastenings shall not apply to coal openings or downdraft or similar furnaces.

2) All other doors, except explosion doors, not used in the firing of the boiler, may be provided with bolts or fastenings in lieu of self locking latching devices. Explosion doors, if used and if located in the setting walls within 7 feet of the firing floor or operating platform, shall be provided with substantial deflectors to divert the blast.

n) BG 14. Clearance. All boilers shall be so located that adequate space will be provided for the proper operation of the boiler and its appurtenances, for the inspection of all surfaces, tubes, water walls, economizers, piping, valves and other equipment and their necessary maintenance and repair.

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o+ PG 15. Ladders and Runways. When necessary for safety, there shall be a steel runway platform of standard construction installed across the tops of adjacent boilers or pressure vessels or at some other convenient level for the purpose of affording safe access. All runways shall have at least two means of exit, each remotely located from the other.

p+ PG 16. Exit from Boiler Rooms. All boiler rooms exceeding 500 square feet floor area and containing one or more boilers having a fuel burning capacity of 1,000,000 BTU, or equivalent electrical heat input, shall have at least two means of exit. Each exit shall be remotely located from the other. Each elevation in such boiler room shall have two means of exit, each remotely located from the other.

q+ PG 17. Inspection of Second hand Equipment. Charges for inspection of second hand equipment shall be at the rate provided in the Boiler and Pressure Vessel Safety Act.

r+ PG 18. Air and Ventilation Requirements. Combustion Air supply and Ventilation of Boiler Room. A permanent source of outside air shall be provided for each boiler room to permit satisfactory combustion of the fuel as well as proper ventilation of the boiler room under normal operating conditions.

1+ The boiler room must have an adequate air supply to permit clean, safe combustion and to minimize soot formation. An unobstructed air opening shall be provided. It shall be sized on the basis of 1 sq. in. free area per 2,000 BTU's per hour maximum fuel input of the combined burners located in the boiler room. The minimum air opening shall be one square foot. The boiler room air supply openings must be kept clear at all times.

2+ When mechanical ventilation is used in lieu of Paragraph (1) the supply of combustion and ventilation air to the boiler room and the firing device shall be interlocked with the fan so the firing device will not operate with the fan off. The velocity of

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the air through the ventilating fan shall not exceed 500 feet per minute and the total air delivered shall be equal to or greater than required in Paragraph (1) above.

s+ PG 19. Conditions Not Covered by These Rules. In any condition not covered by this Part, the ASME Code for new installations shall apply. Should any Section, subsection, sentence, clause, phrase, provision of exemption of this Part be declared unconstitutional or invalid for any reason, such invalidity shall not effect the remaining portion of provisions thereof. The foregoing Rules and Regulations have been formulated and adopted, pursuant to Statute, by the Board of Boiler and Pressure Vessel Rules, Office of the State Fire Marshal, State of Illinois.

(Source: Repealed at Ill. Reg. _____, effective _____).

Section 120.900 Flame Safeguard Requirements (Repealed)

a+ Furnace explosions (Combustion explosions) are caused by the sudden ignition of accumulated fuel and air in the firesides of the boiler. In order to reduce the chance of personal injury, damage to property, and loss of equipment from such explosions, the boiler shall be equipped with approved burners and controls, tested and maintained as recommended by a national recognized standard.

b+ Except as otherwise specifically provided, the provisions of this Section apply to all gas, oil, pulverized coal, and combination gas and oil fired burners installed on boilers covered by Chapter 111 1-2 1/2, 3201-3217, otherwise known as the Boiler and Pressure Vessel Safety Act (Ill. Rev. Stat. 1985, ch. 111 1/2 par. 3201 et seq.).

e+ This Act created a Board of Boiler and Pressure Vessel Rules who are empowered to promulgate rules and regulations for the safe and proper construction, installation, repair, use and operation of boilers, and the Board hereby adopts the following nationally recognized standards and their addenda, which are permissive immediately

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and shall become mandatory on and after July 17, 1983.

ASME GSD-1 1977-1988 Controls and Safety Devices for Automatically Fired Boilers, Part CF only, for boiler installed or reinstalled after January 1, 1991

NFPA 85 1976 Watertube Boiler-Furnaces (Oil or Gas-Fired)

NFPA 85B 1978 Multiple-Burner Boiler-Furnaces

NFPA 85D 1978 Multiple-Burner Boiler-Furnaces (Fuel Oil-Fired)

NFPA 85E 1980 Multiple-Burner Boiler-Furnaces (Pulverized Coal)

API American Petroleum Institute
1220 L Street, Northwest

Washington, D.C. 20005

ASME American Society of Mechanical Engineers
United Engineering Center
345 East 47th Street
New York, New York 10017

NFPA National Fire Protection Association
60 Battery March Street
Boston, Massachusetts 02110

a) The above standards represent basic standards for the safe and efficient performance and substantial and durable construction of equipment. Inspection of the flame safeguard equipment will be in conjunction with the regular inspections of boilers as required by Section 10 of the Boiler and Pressure Vessel Safety Act. (Ill. Rev. Stat. 1979-1989, ch. III 1/2, par. 3211).

e) In accordance with the authority granted under Section 2 of the Boiler and Pressure Vessel Safety Act, Chapter III 1/2, par. 3202, the Board of Boiler and Pressure Vessel Rules had adopted the Boiler and Pressure Vessel Code of the American Society of Mechanical Engineers with the amendments, addenda and interpretations thereto made and these Sections listed below shall be deemed incorporated into and constitute a part of the whole rules and regulations of the Board.

Boiler and Pressure Vessel Code (1986) (1989)

Section I

Power Boilers

Section II

Material Specifications Part A Ferrous

Section II

Material Specifications Part B Nonferrous

Section II

Material Specifications Part C Welding Rods Electrodes and Filler Metals

Section IV

Heating Boilers

Section V

Nondestructive Examination

Section VI

Recommended Rules for Care and Operation of Heating Boilers

Section VII

Recommended Rules for Care of Power Boilers

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Section VIII

~~Pressure Vessels—Division 1—
Including Appendix M~~

Section VIII

~~Pressure Vessels—Division 2—
Alternative Rules~~

Section IX

~~Welding and Brazing Qualifications~~

Section X

~~Fiberglass—Reinforced Plastic—
Pressure Vessels~~

f) Further, the Board of Boiler and Pressure Vessel Rules by resolution had adopted a manual for boiler and pressure vessel inspectors entitled The National Board Inspection Code, 1972-1989 Edition as revised August 1989 published by the National Board of Boiler and Pressure Vessel Inspectors, 1055 Crupper Avenue, Columbus, Ohio 43229.

g) In addition, for power piping, the Board has adopted ANSI B31.1 on power piping published by the American National Standards Institute (Power Piping, An American National Standard Code for Pressure Piping, ANSI/ASME B31.1, New York: The American Society of Mechanical Engineers, 1983).

(Source: Repealed at Ill. Reg. _____ effective _____).

Section 120.1000 Repairs and Alterations to Boilers and Pressure Vessels by Welding

a) Introduction. This Subpart covers rules for repairs and alterations to boilers and pressure vessels by welding. Where applicable rules for a repair or alteration are not given, it is intended that, subject to approval of the Inspector, details of design and construction, insofar as practicable, will be consistent with the Rules of the ASME Code or the Rules for

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repairs contained in the National Board Inspection Code or the Code to which the item was originally constructed.

b) General Requirements for Repairs and Alterations. The requirements of this Subpart apply to all repairs and alterations to boiler and pressure vessel pressure retaining parts, except that an Owner-User of pressure vessels qualified in accordance with Section 15 of the Act (Ill. Rev. Stat. 1989, 1991 ch. 111 1/2, par. 3216) shall have the option of using the provisions of API-510 for the inspection, repair, alteration, or rerating of pressure vessels. Organizations in possession of an ASME Certificate of Authorization or a National Board "R" Stamp need not meet the requirements of Sections 120.1010, 120.1020, 120.1030 or 120.1040.

c) All boilers and pressure vessels covered by the Act and repaired after July 1, 1992 1993, must be repaired by one of the following:

1) By an organization in possession of a valid ASME "H," "G" or "U" Certificate of Authorization

2) By an organization in possession of a valid "R" Certificate of Authorization issued by the National Board of Boiler and Pressure Vessel Inspectors.

3) An organization authorized by the Division of Boiler and Pressure Vessel Safety pursuant to this Subpart.

d) All boilers and pressure vessels covered by the Act, altered after July 1, 1992 1993, shall be performed altered in accordance with Section 120.1041(b).

(Source: Amended at Ill. Reg. _____, effective _____).

Section 120.1010 Authorization to Repair Boilers and Pressure Vessels

Realizing the importance of the proper repair of boilers and pressure vessels, the Board of Boiler and Pressure Vessel Rules authorized the development of procedures and Rules for the issuance and use of the Certificate of Authorization for repair for those organizations requesting

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authorization to repair boilers and pressure vessels under Section 120.1000(c)(2). The Division shall review the repair organization's Quality Control Manual and shall require a demonstration of the repair organization's Quality Control System as described in this Subpart.

(Source: Amended at Ill. Reg. ____, effective ____).

Section 120.1020 Issuance and Renewal of the Certificate

Authorization to repair boilers and unfired pressure vessels will be granted by the Division of Boiler and Pressure Vessel Safety, Office of the State Fire Marshal, pursuant to the provisions of the following administrative procedures and Rules:

- a) A Certificate of Authorization will be issued for a period of three years. The certificate shall indicate authorization to repair either boilers or pressure vessels or both, as covered by the repair organization's Quality Control Manual. The Certificate will be signed by the Chief Inspector.
- b) The applicant shall apply to the Division for renewal of authorization and reissuance of the Certificate at least six (6) months prior to the date of expiration.
- c) Before issuance or renewal of the Certificate of Authorization, the repair organization shall demonstrate its Quality Control System to a representative of the Division.
- d) It is the responsibility of the repair organization to make arrangements for this review. Certificates cannot be issued nor renewed until the Division has completed this review.

(Source: Amended at Ill. Reg. ____, effective ____).

Section 120.1030 Changes to Certificates of Authorization

When an organization authorized by the Division to repair boilers and pressure vessels changes location and/or ownership or name, the Office of the State Fire Marshal

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Division of Boiler and Pressure Vessel Safety shall be notified. When a repair organization changes location, name or ownership, a review of its Quality Control System shall be required.

(Source: Added at Ill. Reg. ____, effective ____).

Section 120.1040 Quality Control Requirements

Quality Control System

a) General

- 1) Before issuance or renewal of a Certificate of Authorization, the repair organization must meet all requirements including an acceptable Quality Control System, outlined in a written Quality Control System Manual, which shall include material control, fabrication, welding, nondestructive examination, testing and inspection.
- 2) The Quality Control System Manual shall also include provisions for making revisions, posting and dating changes in the program enabling the system to be kept current as required.
- 3) The description and information of ~~an~~ ~~information~~ relating to the System may be brief or voluminous, depending upon the circumstances.
- 4) In general, the Quality Control System Manual shall describe and explain what documents and procedures the repair firm will use to validate a repair.
- 5) A review of the repair organization's Quality Control System and Manual will be performed by a representative of the Division. The review will include a demonstration of the implementation of the provisions of the repair organization's Quality Control System.
- 6) Each repair organization to which a Certificate of Authorization is issued shall maintain thereafter an up-to-date copy

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of its accepted Quality Control System Manual and keep a current copy on file with the Division. Revisions to the Manual shall not be implemented until such revisions are accepted by the Division

authority in the organization for resolution; and

- B) Listing the title of the individual authorized to approve revisions to the written Quality Control System Manual and the method by which such revisions are to be submitted to the Division for acceptance before implementation.

- b) The following sets the minimum requirements for a Quality Control System for repairs of boilers and pressure vessels. ~~The systems are intended for use by manufacturers, repair organizations and users.~~ Each repair organization shall develop its own Quality Control System which is designed to meet the requirements of the organization. Requirements for the individual Quality Control Systems Manuals include:

- 5) Organizational Chart - The organizational chart shall include all departments or divisions within the repair organization that perform functions affecting the quality of the repair and show the relationship.

- 1) Title Page - The title page shall include the name and address of the repair organization to which the Certificate of Authorization is to be issued. It shall also list the Sections of the ASME Code to which the repairs apply.

- 6) Scope of Work - The scope of work section shall clearly indicate the scope and type of repairs the organization is capable of and intends to perform. The scope can be limited by engineering, machine tools, welding processes, heat treatment facilities, testing facilities, nondestructive examination (NDE) techniques or qualified personnel.

- 2) Revision Log - A revision log is required to assure control over revisions in the Quality Control System Manual. The log shall contain sufficient space for date, description and section of revision, repair organization approval and Division acceptance.

- 7) Drawings and Specification Control - The drawings and specification control system shall provide procedures assuring that the latest applicable drawings, specifications and instructions required are used for repair, inspection and testing.

- 3) Contents Page - The contents page shall list and reference, by paragraph and page number, the subjects and exhibits contained within the System.

- 8) Material Control - The material control section shall describe procurement of material with request for mill test certification as required. It shall describe receiving, storage and issuance, as well as the following:

- 4) Statement of Authority and Responsibility - A statement of authority and responsibility shall appear on organization letterhead, dated and signed by an officer of the organization:

- A) The title of the individual responsible for the procurement of all material.

- A) Directing that disagreements in the implementation of the written Quality Control System shall be referred to a higher

- B) The title of the individual responsible for certification and other records as required.

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- C) Procedures for checking all incoming material and parts for conformance with the purchase order and, where applicable, the material specifications or drawings. The material section shall indicate how the material or part is identified and how identity is maintained by the Quality Control System.

- 9) Repair and Inspection Program - The repair and inspection program section shall include reference to a document (such as a report, traveler or checklist) which outlines the specific repair and inspection procedures used in the repair. The document shall be retained for a period of at least five (5) years. The document shall include the material check and a description of items such as the welding procedure specifications (WPS), fit-ups, NDE technique, heat treatment, and hydrostatic/pneumatic pressure test methods to be used. There shall be a space for "sign-offs" at each operation to verify that each step has been properly performed.

- 10) Welding, NDE and Heat Treatment - The Quality Control System Manual shall indicate the title of the person(s) responsible for the development and approval of the welding procedure, specifications, and their qualifications, as well as the qualifications of welders and welding operators. Welding procedure specifications, welders and welding operators shall be qualified under the requirements specified in the ASME Boiler and Pressure Vessel Code, Section IX. Similarly, NDE and heat treatment techniques must be described in the Quality Control System Manual. When outside services are used, the contracted service provider shall perform in accordance with the Quality Control System Manual and shall meet

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the requirements of the applicable section of the ASME Code.

- 11) Calibration of Measurement and Test Gauges - The calibration of measurement and test gauges system shall include the periodic (indicate time schedule) calibration of measuring instruments and pressure gauges.

A) Pressure gauges are to be checked periodically by the person authorized (indicate title). The method of gauge testing is to be indicated and results recorded.

B) Periodically, all master instruments shall be calibrated, preferable but not necessarily, to measuring equipment that is traceable to the National Bureau of Standards.

- 12) Controlled Copy - An up-to-date copy of the written Quality Control Systems Manual shall be submitted to the Division for review and acceptance. Revisions shall also be submitted for acceptance prior to being implemented.

- 13) Sample Forms - Forms used in the Quality Control System shall be included in the Manual with a written description. Forms exhibited shall be marked "SAMPLE" and completed in a manner typical of actual repair procedures.

- 14) Individuality Important - It is extremely important that the Quality Control System and Manual be tailored to the operations of the individual repair organization while meeting the requirements of this Subpart.

(Source: Amended at 11. Reg. , effective).

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Section 120.1041 Repair and Alteration Requirements

- a) Repairs. Except as permitted for Owner-Users in Section 120.1000(b), no repair to a boiler or pressure vessel shall be initiated without the authorization of the Inspector who shall be satisfied that the welding procedures and welders are qualified and that the repair methods are acceptable. The Inspector may give prior approval for repairs of a routine nature, provided the Inspector has been assured that the repairs are described in Appendix A(e). In every case, however, the Inspector shall be advised of each repair under such prior agreement.

- b) Alterations. Except as permitted for Owner-Users in Section 120.1000(b), alterations to boilers and pressure vessels shall be performed by an organization in possession of a valid ASME Certificate of Authorization to use the appropriate Code Symbol Stamp of a National Board "R" Certificate of Authorization, provided the alterations are within the scope of such authorization. No alteration to a boiler or pressure vessel shall be initiated without the authorization of the Inspector who shall be satisfied that the alteration methods and calculations are acceptable. If the Inspector considers it necessary, the Inspector shall make an inspection of the object before granting such authorization.

- c) Acceptance of Repairs and Alterations. Provided that repairs or alterations are acceptable to the Authorized Inspection Agency responsible for the boiler or pressure vessel, acceptance of repairs and alterations may be made by an Inspector employed by any of the following:

- 1) Illinois Division of Boiler and Pressure Safety.
- 2) The Inspection Agency of record of the organization making the repair or alteration.
- 3) The Authorized Inspection Agency, provided the work was not performed by

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the Agency employing the Inspector, except as provided in Section 120.1041(e) of this Part.

- d) Acceptance Inspection. It shall be the responsibility of the organization making the repair or alteration to coordinate the acceptance inspection of the repair or alteration. Except for repairs of a routine nature, a completed record of welding repairs shall be submitted to the Division (Appendix B). ~~An acceptable alternative to Appendix B is the National Board R-1 Form.~~

- e) Owner-User Acceptance Inspection of Repairs. An Owner-User Inspector may perform acceptance inspections of repairs to boilers and pressure vessels when such repairs have been performed by the Inspector's employer, provided the repair organization and inspection procedures have the Division's specific approval. Such acceptance inspection procedures shall be subject to the concurrence of the Authorized Inspection Agency responsible for the boiler or pressure vessel.

- f) Replacement Pressure Parts. In general, replacement pressure parts may be classified as follows:

- 1) Replacement parts subject to internal or external pressure that consist of materials which may be formed or assembled to the required shape by bending, forging or other forming methods, but on which no shop fabrication welding is performed may be supplied as material. Material and part identification shall be supplied in the form of bills of material and drawings with ASME Code compliance.
- 2) Replacement parts subject to internal or external pressure that are fabricated by welding, but on which shop inspection is not required by the ASME Code, shall have the welding performed in accordance with Section IX and other applicable Sections of the ASME Code. The replacement part assembly identification shall be supplied in the form of bills of material and drawings. The supplier or manufacturer shall certify that

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the material, design and fabrication are in accordance with the applicable Section of the ASME Code.

- 3) Replacement parts subject to internal or external pressure fabricated by welding which require shop inspection by an Authorized Inspector shall be fabricated by a manufacturer having an ASME Certificate of Authorization and the appropriate Code Symbol Stamp. A complete Manufacturer's Partial Data Report shall be supplied by the manufacturer.

g) Pressure Tests

- 1) Repairs. The Inspector may require a pressure test after the completion of a repair to a boiler or pressure vessel when in the Inspector's judgment one should be conducted.

- 2) Alterations. A pressure test in accordance with the National Board Inspection Code 1989 Edition as revised August 1989 shall be applied to the boiler or pressure vessel on the completion of an alteration.

- h) Repair Methods. Repair methods in this Section shall be used in conjunction with the general requirements in Section 120.1000(b) of this Part.

i) Defect Repairs

- 1) General. A repair of a defect, such as a crack in a welded joint or base material, shall not be made until the defect has been removed. A suitable nondestructive method shall be used to assure its complete removal. If the defect penetrates the full thickness of the material, the repair shall be made with a complete penetration weld such as double butt weld or a single butt weld with or without backing. Before repairing a cracked area, care should be taken to investigate its cause and to determine its extent. Where circumstances indicate that the crack is likely to recur, consideration should be given to removing the cracked area and installing a patch.

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- 2) Unstayed Boiler Furnace Cracks. Cracks at the knuckle or at the turn of the flange of the furnace opening require immediate replacement of the affected area or specific approval of repairs by the Authorized Inspection Agency. (See Appendix A, Figure 1)

- 3) Rivet or Staybolt Hole Cracks. Cracks radiating from rivet or staybolt holes may be repaired if the plate is not seriously damaged. If the plate is seriously damaged, it shall be replaced. For suggested methods of repair, see Appendix A, Figure 2.

- 4) Minor Defects. Minor cracks, isolated pits, and small plate imperfections shall be examined to determine the extent of the defect and whether welding is required. When welding is required, these defects shall be prepared for welding by removing to solid metal. Liquid penetrant or magnetic particle examination may be used before and/or after welding.

- 5) Defective Bolting. Defective bolting material shall not be repaired but shall be replaced with suitable material which meets the specifications of the applicable Section of the ASME Code.

j) Wasted Areas

- 1) Shells, Drums, Headers. Wasted areas in stayed and unstayed shells, drums and headers may be built up by welding provided that in the judgment of the Inspector the strength of the structure will not be impaired. Where extensive weld build-up is employed, the Inspector may require an appropriate method of NDE (nondestructive examination) for the complete surface of the repair. For suggested methods of building up wasted areas by welding, see Appendix A, Figure 3. For repairs of minor defects see Section 120.1041 (i) (4) of this Part.

- 2) Access Openings. Wasted areas around access openings may be built up by welding or they

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may be repaired, as described in Appendix A-7, Figure 4. In boilers, the area to be so repaired shall not be closer than 2 inches (50.9mm) from any knuckle.

- 3) Flanges. Wasted flange faces may be cleaned thoroughly and built up with weld metal. They should be machined in place if possible to a thickness not less than that of the original flange or that required by calculations in accordance with the provisions of the applicable Section of the ASME Code. Wasted flanges may also be machined in place without building up with weld metal provided the metal removed in the process does not reduce the thickness of the flange to a measurement below that calculated above. Flanges which leak because of warpage or distortion and which cannot be machined shall be replaced with new flanges which have at least the dimensions conforming to the applicable Section of the ASME Code.

- 4) Tubes. Wasted areas on tubes may be repaired by welding provided that in the judgment of the Inspector the strength of the tube has not been will not be impaired.

- 5) Corrosion, Grooving.

- A) Localized corrosion that produced a groove, especially along or immediately adjacent to a joint, could be more serious than a similar amount of corrosion on solid plate away from the joints. Grooving and cracks along longitudinal joints are especially significant as they are likely to occur where the material is more highly stressed. Severe corrosion is likely to occur at points where the circulation of the corrosive fluid is poor; such places shall be examined most carefully.

- B) For the purposes of estimating the effect of corrosion or other defects upon the strength of a shell, comparison shall be made with the

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efficiency of the longitudinal joint of the small boiler or pressure vessel, the strength of which is always less than that of the a solid sheet.

- C) All flanging shall be inspected thoroughly, particularly the flanges of heads that are not stayed. Internal grooving in the fillets of such heads and external grooving in the outer surfaces of heads concave to pressure are very common since there is a slight movement in heads of this character which produces this kind of defect. Some types of boilers or pressure vessels have the egg or reversed-flange construction in a few of their parts that may be inaccessible to the eye, but the conditions shall be determined by the insertion of a borescope, fiber optics or a mirror which, at a proper angle, will reflect back to the eye the condition of such a part.

- D) On new vessels and on vessels for which service conditions are being changed, one of the following methods shall be employed to determine the probable rate of corrosion from which the remaining wall thickness at the time of the next inspection can be estimated:-

- i) The corrosion rate as established by accurate data collected by the owner or user on vessels in the same or similar service.
- ii) If accurate data for the same or similar service are not available, the probable corrosion rate as estimated from the Inspector's knowledge and experience on vessels in similar service.
- iii) If the probable corrosion rate cannot be determined by either of the above mentioned methods,

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thickness determinations shall be made after approximately 1000 hours of service, or one normal run if longer than this; subsequent sets of thickness measurements shall be taken after additional similar intervals until the corrosion rate is determined by this method; the corrosion data indicated by the first inspection may be used as a first approximation of the corrosion rate but shall be excluded from all subsequent computations of the corrosion rate, since attack on the initial surfaces may not be indicative of subsequent attack on corroded surfaces.

k) Seal Welding

1) Seal Welding of Tubes. Tubes may be seal welded provided the ends of the tubes have sufficient wall thickness to prevent burn through and the requirements of the appropriate Sections of the ASME Code are satisfied. (See Appendix A, Figure 5)

2) Seal Welding of Riveted Joints. Edges of butt straps, plate laps and nozzles, or of connections attached by riveting may be restored to original dimensions by welding. Seal welding of riveted joints, butt straps or rivets shall require the approval of the Authorized Inspection Agency. ~~If seal welding is approved, suggested methods and precautions are shown in Appendix A, Figure 6.~~

1) Re-Ending or Piecing Pipes and Tubes. Re-ending or piecing pipes and tubes is permitted provided the thickness of the remaining tube or pipe is not less than 90 percent of that required by the applicable Section of the ASME Code.

m) Patches

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1) Flush Patches. The weld around a flush patch shall be a full penetration weld and the accessible surfaces shall be ground flush where required by the applicable Section of the ASME Code. ~~Examples of flush weld patches are shown in Appendix A, Figure 7.~~

7. Flush welded patches shall be subjected to an appropriate nondestructive examination which shall be consistent with the original construction requirements.

2) Tube Patches. In some situations it is necessary to weld a flush patch on a tube, such as when replacing tube sections and accessibility around the complete circumference of the tube is restricted or when it is necessary to repair a small bulge. This is referred to as a window patch. ~~Suggested methods for window patches are shown in Appendix A, Figure 8.~~

3) Stays. Threaded stays may be replaced by welded-in stays provided that, in the judgment of the Inspector, the plate adjacent to the staybolt has not been materially weakened by deterioration or wasting away. All requirements of the applicable Section of the ASME Code governing welded-in stays shall be met.

n) Alteration Methods. Alteration methods shall comply with the general requirements of Section 120.1000(b) of this part, ~~and with the appropriate Section of the ASME Code including any service restrictions.~~

o) Replacement Drums and Shells. Major replacement of pressure parts, including drums and shells, which are fabricated by welding and for which a Manufacturer's Data Report is required by the applicable Code Section shall be fabricated by a manufacturer having an ASME Certificate of Authorization and the appropriate Code Symbol Stamp. The item shall be inspected, stamped with the applicable Code Symbol and the ~~word~~ word "PART", and reported on the appropriate Manufacturer's Partial Data Report.

p) Replaced Stamping. When a repair or alteration requires removal of that part of a boiler or

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pressure vessel containing the Code Stamping, the Inspector shall, subject to the approval of the jurisdiction, witness the making of a facsimile of stamping, the obliteration of the old stamping and the transfer of the stamping to the new part. When the stamping is on a nameplate, the Inspector is to witness the transfer of the nameplate to the new part. The Code Symbol is not to be restamped.

q) Rerating of a Boiler or Pressure Vessel. Rerating of a boiler or pressure vessel by increasing the maximum allowable working pressure (internal or external) or temperature, or decreasing the minimum temperature such that additional mechanical tests are required, shall be considered an alteration and shall be done only after the following requirements have all been met to the satisfaction of the Authorized Inspection Agency:-

1) Revised calculations verifying the new service conditions shall be required from the original manufacturer for review and acceptance by the Authorized Inspection Agency. When such calculations cannot be obtained from this source, they may be prepared by an ~~Professional~~ Engineer and forwarded for review and acceptance by the Authorized Inspection Agency.

2) All reratings shall be established in accordance with the requirements of the Code to which the boiler or pressure vessel was built or by computation using the appropriate formulas in the latest edition of the ASME Code if all essential details are definitely known to comply with the edition of the Code to which the object was built.

3) Current inspection records verify that the boiler or pressure vessel is satisfactory for the proposed service conditions.

4) The boiler or pressure vessel has been pressure tested for the rerated condition as required by Section 120.1041(g) (2).

r) Suggestions

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1) The Inspector should be well informed of the natural and neglectful causes of defects and deterioration of boilers and pressure vessels. The Inspector should be conscientious and extremely careful in observing, taking sufficient time to make the examinations thorough in every way, taking no one's statement as final as to conditions not personally observed, and, in the event of inability to make thorough inspection, the Inspector should note it in the report and not accept the statements of others.

2) The Inspector shall make a general observation of the conditions of the boiler room and apparatus, as well as of the attendants, as a guide in forming an opinion of the general care of the equipment.

3) The Inspector shall weigh very carefully the condition of any defects in order to determine their relation to, or influence upon, the safety of the inspected boiler or pressure vessel. The Inspector shall question responsible employees as to the history of old boilers or pressure vessels, their peculiarities and behavior; ascertain what, if any, repairs have been made; ascertain the character of repairs; and investigate and determine whether repairs were made properly and safely.

(Source Amended at Ill. Reg. _____, effective _____).

Section 120.1100 Procedure for the Issuance of State's Special Permits

a) The Board of Boiler and Pressure Vessel Safety may issue special permits for boilers and pressure vessels which for some reason ~~cannot be~~ were not constructed in accordance with an applicable ASME Code.

b) Individuals, corporations, partnerships, joint ventures, and other entities may request of the Board, at least one month prior to the next meeting of the Board, a permit for the

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installation of an object not constructed in accordance with the applicable ASME Code, which the Board has adopted as a construction standard for the State of Illinois.

- c) The Board may grant a special installation permit to the applicant upon consideration of the following items of information required to be submitted by the applicant:

- 1) The manufacturer, applicant shall provide full details of design and construction showing equivalency to the ASME Code.
- 2) The applicant shall provide data relating to the physical and chemical properties of all materials used in construction.
- 3) All calculations must be presented showing, in detail, how the maximum allowable working pressure was derived.
- 4) An authentic test record must be provided on all ASME-code materials used in construction.
- 5) Other material as the Board or the persons requesting a permit deems necessary.

6) 10 copies shall be provided.

- d) The Board shall use the following criteria in issuance or refusal to issue the permit.

- 1) No object, or portion of an object, will be issued a special permit if the object can be constructed in accordance with an existing applicable ASME Code.
- 2) The applicant must specify the reasons the object cannot be manufactured, constructed, and/or inspected in accordance with the applicable ASME Code.
- 3) The data submitted must prove that the design of the object and the material used would not pose an undue hazard to life or property if operated at the pressure and temperature approved by the Board.

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- 4) ~~All portions of the object which can be manufactured to ASME specifications must be manufactured to those specifications and substantial proof must be provided by the manufacturer.~~

ed) The Board may by regulation issue special installation permits to a class of objects meeting the above criteria when it deems that the public interest would be best served by application of the class of objects rather than individual case-by-case determination.

fe) The Board may, as a condition to issuance of a special permit, require the installation of safety features or prescribed operating procedures for objects to be issued a special permit. The Board will use relevant safety data in determining the need for installation of safety features or operating features.

g) ~~A special installation permit shall be revoked or suspended if the object is not constructed in accordance with the approved specifications for construction or the operating procedures prescribed by the Board under (d) and (f) above.~~

(Source: Amended at Ill. Reg. ____, effective ____).

SUBPART DC: REPAIR OF SAFETY AND SAFETY RELIEF VALVES

Section 120.1200 ~~Repair of Safety and Safety Relief Valves~~ Authorization for Repair of Safety & Safety Relief Valves

All National Board capacity certified ASME Code Section I, "V" stamped and Section VIII, "UV" stamped safety and safety relief valves that are repaired after January 1, 1987, must be repaired by one of the following:

- a) The manufacturer of the valve who is in possession of a valid ASME "V" or "UV" Certificate of Authorization.
- b) By an organization in possession of a valid "VR" Certificate of Authorization issued by the National Board of Boiler and Pressure Vessel Inspectors.

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organization and its facilities demonstrate its Quality Control System to a representative of the Division -1

d) It is the responsibility of the valve repair organization to make arrangements for this review. Certificates cannot be issued nor renewed until the Division has completed this review-1

e) Before the Certificate of Authorization for Valve Repair will be issued or renewed, two valves which have been repaired by the applicant at his repair facility, and selected at random by a representative of the Division, must successfully complete operational verification tests prior to issuance or renewal. The valve selection (one steam and one air or gas where steam and gas valves are repaired) shall be such as to cause a minimum disruption to the repair organization. However, the valves shall be typical of those repaired by the organization. Tests conducted must be witnessed by a representative of the Division. The purpose of the tests are is to ensure that the repairs have been satisfactorily carried out and the function and operation of the valves meet the requirements of the Section of the ASME Code to which they were manufactured.

(Source: Amended at Ill. Reg. _____, effective _____).
Section 120.1240 Changes to Certificates of Authorization

When a valve repair organization changes location and/or ownership or name, the Office of the State Fire Marshal, Division of Boiler & Pressure Vessel Safety shall be notified. When a valve repair organization changes location, name or ownership, a review of its facilities and Quality Control System Manual shall be required.

(Source: Amended at Ill. Reg. _____, effective _____).
Section 120.1250 Repairs to Safety and Safety Relief Valves

a) Repair of a safety and/or safety relief valve is considered to be the replacement, remachining or cleaning of any critical part as described in 120.1260(b)(8)(D), lapping of seat and disc or

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c) An organization authorized by the Division of Boiler and Pressure Vessel Safety to repair safety and safety relief valves pursuant to this Subpart.

(Source: Amended at Ill. Reg. _____, effective _____).

Section 120.1210 Authorization to Repair ASME and National Board Stamped Safety and Safety Relief Valves

Realizing the importance of the proper repair of safety and safety relief valves, the Board of Boiler and Pressure Vessel Rules authorized the development of procedures and rules for the issuance and use of the Certificate of Authorization for Valve Repair for those organizations requesting authorization to repair safety and safety relief valves under Section 120.1200(c). The Division shall review the repair organization's Quality Control System Manual and shall require a demonstration of the repair organization's Quality Control System as described in this Subpart.

(Source: Amended at Ill. Reg. _____, effective _____).

Section 120.1220 Issuance and Renewal of the Certificate

Authorization to repair all ASME Section I and Section VIII safety and safety relief valves will be granted by the Division of Boiler and Pressure Vessel Safety, Office of the State Fire Marshal, pursuant to the provisions of the following administrative procedures and rules:

a) A Certificate of Authorization will be issued expiring on the triennial anniversary date. The eCertificate shall indicate authorization to repair either Section I or Section VIII valves or both, as verified by testing and as covered by the repair organization's Quality Control System Manual. The Certificate will be signed by the Chief Inspector-1

b) The applicant should apply to the Division for renewal of authorization and reissuance of the Certificate at least six (6) months prior to the date of expiration-1

c) Before issuance or renewal of the Certificate of Authorization for Valve Repair, the repair

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any other operation which may affect the flow passage, capacity, function or pressure retaining integrity. Disassembly, reassembly and/or adjustments which affect the safety or safety relief valve function are also considered a repair. The initial installation, testing and adjustments of a new safety valve or a safety relief valve on a boiler or pressure vessel are not considered a repair.

- b) The Division shall authorize properly trained and qualified employees of boiler or pressure vessel users or their designees (see Section 120.1285) to make adjustments to set pressure provided the adjusted settings and the date of the adjustment are recorded on a metal tag secured to the seal wire. All external adjustments shall be resealed showing the identification of the organization making the adjustments.

c) ~~Valves intended for steam service shall be tested on steam. Valves intended for air or gas service shall be tested on air or gas. See Section 120.1280 for exception.~~

(Source: Amended at Ill. Reg. _____ effective _____).

Section 120.1260 Quality Control System

a) General

- 1) Before issuance or renewal of the Certificate of Authorization, the applicant must meet all requirements including an acceptable written Quality Control System which shall include, but not be limited to, material control, fabrication, welding, nondestructive examination, testing and inspection.
- 2) The written Quality Control System shall also include provisions for making revisions, posting and dating changes in the program enabling the system to be kept current as required.
- 3) The description and information of the system may be brief or voluminous, depending upon the circumstances.

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- 4) In general, the Quality Control System shall describe and explain what documents and procedures the repair firm will use to validate a valve repair.
- 5) A review of the applicant's Quality Control System will be performed by a representative of the Division. The review will include a demonstration of the implementation of the provisions of the applicant's Quality Control system.
- 6) Each applicant to whom a Certificate of Authorization is issued shall maintain thereafter an up to date copy of his accepted Quality Control System-Manual with the Division. Revisions to the Quality Control System Manual shall not be implemented until such revisions are accepted by the Division.

b) The following ~~sets~~ are the minimum requirements of the Division for a written Quality Control System for repairs of ASME safety and safety relief valves. ~~It is intended for use by manufacturers, repair organizations, or users.~~ It is essential that each valve repair organization develop its own Quality Control System which meets the requirements of its organization. For this reason, it is not possible to develop one Quality Control System which could apply to more than one organization. Some of these requirements are:

- 1) Title Page - The title page shall include the name and address of the company to which the Certificate of Authorization is to be issued. It shall also list the Sections of the ASME Code to which the repairs will apply.
- 2) Revision Log - A revision log is required to assure revision control of the Quality Control System Manual. The log shall contain sufficient space for date, description and section of revision, company approval and Division acceptance.

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- 3) Contents page - The contents page shall list and reference, by paragraph and page number, the subjects and exhibits contained therein.
- 4) Statement of Authority and Responsibility - A statement of authority and responsibility shall appear on company letterhead, dated and signed by an officer of the company verifying the following:
 - A) If there is a disagreement in the implementation of the written Quality Control System, the matter is referred to a higher authority in the company for resolution; and
 - B) The title of the individual authorized to approve revisions to the written Quality Control System and the method by which such revisions are to be submitted to the Division for acceptance before implementation.
- 5) Organizational Chart - The organizational chart shall include all departments or divisions within the company that perform functions affecting the quality of the valve repair and show the relationship.
- 6) Scope of Work - The scope of work section shall clearly indicate the scope and type of valve repairs the organization is capable of and intends to carry out, and shall include the type and sizes of valves which can be repaired. In addition, the testing media (steam, air, water, etc.) and pressure ranges should be included. The scope can be limited by engineering, machine tools, welding processes, heat treatment facilities, testing techniques, non-destructive examination (NDE) techniques or qualified personnel.
- 7) Drawings and Specification Control - The drawings and specification control system shall provide procedures assuring that the latest applicable drawings, specifications and instructions required are used for valve repair, inspection and testing.

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- A) Specific reference shall be made to the materials used for the repair of the various valve parts (PG-73.2.3, Section I and UG-136 (b)(3), Section VIII, Division 1 of the ASME Code).
- B) Mechanical requirements shall comply with the ASME Code. See applicable Code Section.
- 8) Material and Part Control - The material and part control section shall describe procurement of parts from the valve manufacturer, if applicable, and of material with request for mill test certification as required. It shall also describe receiving, storage and issuance as well as the following:
 - A) State the title of the individual responsible for the procurement of all material and parts.
 - B) State the title of the individual responsible for certification and other records as required.
 - C) All incoming material and parts shall be checked for conformance with the purchase order and, where applicable, the material specifications or drawings. Indicate how material or part is identified and how identity is maintained by the Quality Control System.
 - D) All critical parts shall be fabricated by the valve manufacturer or to his specifications. Critical parts are defined as any part which may affect the flow passage, capacity, pressure rating or valve function.
- 9) Repair and Inspection Program - The repair and inspection program section shall include reference to a document (such as a report, traveler or checklist) which outlines the specific repair and inspection procedures to be used in the repair of safety and safety relief valves. Provisions shall be made to

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retain this document for a period of at least five (5) years as a part of quality control traceability documents.

- A) Each valve or group of valves shall be accompanied by the document referred to above for processing through the plant.
- B) The document referred to above shall include material check, reference to items such as the welding procedure specifications (WPS), fit-ups, NDE technique, heat treatment, and pressure test methods to be used. There shall be a space for "sign-offs" at each operation to verify that each step has been properly performed for each valve.

- C) The system shall include a method of controlling the repair or replacement of critical valve parts. The method of identifying each spring shall be indicated.

- 10) Welding, NDE and Heat Treatment (when applicable) - When welded repairs are made by the certificate holder, the Quality Control System Manual shall indicate the title of the person(s) responsible for the development and approval of the welding procedure specifications and their qualifications, and the qualifications of welders and welding operators. Welding procedures specifications and welders and welding operators shall be qualified to the requirements of the ASME Boiler and Pressure Vessel Code, Section IX. Similarly, NDE and heat treatment techniques must be covered in the Quality Control System Manual. When outside services are used, the Quality Control System Manual shall describe the system, whereby the use of such services meet the requirements of the applicable Section of the ASME Code.

- 11) Valve Testing and Setting - The Quality Control System shall include provisions that every valve shall be tested, set and all external adjustments sealed

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according to the requirements of the applicable ASME Code Section. The seal shall identify the repair organization. Abbreviations or initials shall be ~~are~~ permitted.

- 12) Valve Repair Nameplates - An effective valve stamping system shall be established to ensure proper stamping of each valve as required by Section 120.1270. The Quality Control System Manual shall include a description of the nameplate or a drawing.
- 13) Calibration of Measurement and Test Gauges - The calibration of measurement and test gauges system shall include the periodic calibration of measuring instruments and pressure gauges.

- A) Pressure gauges used for setting valves are to be checked periodically (indicate time schedule) by the person authorized (indicate title). The method of gauge testing is to be indicated and results recorded.

- B. Periodically, all master instruments shall be calibrated preferably but not necessarily to measuring equipment traceable to the National Bureau of Standards.

- 14) Controlled Copy - An up to date copy of the written Quality Control System Manual shall be submitted to the Division for review and acceptance. Revisions shall also be submitted for acceptance prior to being implemented.

- 15) Sample Forms - Forms used in the Quality Control System shall be included in the manual with a written description. Forms exhibited shall be marked "SAMPLE" and completed in a manner typical of actual valve repair procedures.

- 16) Individuality Important - It is extremely important that the manual describe and the operation implement the system of each

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repair organization ~~firm~~ while meeting the requirements of this Subpart.

(Source: Amended at Ill. Reg. _____, effective _____).

Section 120.1270 Nameplates

- a) When a safety or safety relief valve is repaired, a metal repair nameplate stamped with the information required by Section 120.1270(b) shall be attached to the valve either above, adjacent to or below the original stamping. See Section 120.1250(b) for exception.
- b) As a minimum, the information on the valve repair nameplate shall include the name of the repair organization and the date of repair. If set pressure has been changed then it, as well as the blowdown (for "V" stamped valves), and new capacity shall be indicated. ~~On the valves~~ ~~(data)~~ ~~on~~ the original nameplate or stamping shall be marked out but left legible. The new capacity shall be based on that for which the valve was originally certified.

c) Illegible or Replacement of Missing Nameplates

- 1) When the information on the original manufacturer's or assembler's nameplate or stamping is illegible, the nameplate or stamping ~~will~~ shall be augmented or replaced by a nameplate stamped "duplicate", which contains all information which originally appeared on the nameplate or valve, as required by the applicable Section of the ASME Code, except the "V" or "UV" symbol and the National Board mark. The repair organization's nameplate and other required data specified in Section 120.1270(b) will make the ~~repair~~ repair organization responsible to the owner and the Division that the information on the duplicate nameplate is correct.

- 2) When the original valve nameplate is missing, the repair organization is not authorized to perform repairs to the valve under the program unless positive identification can be made to that specific

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valve and verification that the valve was originally stamped with a "V" or "UV" stamp. Valves that can be positively identified ~~will~~ shall be equipped with a duplicate nameplate as described in Section 120.1270(c)(1) in addition to the ~~repair~~ repair organization stamped nameplate. The ~~repair~~ repair organization's repair organization responsibilities for accurate data as defined in Section 120.1270(c)(1) shall apply.

- 3) When a duplicate nameplate is affixed to a valve as required by Sections 120.1270(c)(1) or 120.1270(c)(2), it shall be marked "Sec I" or "Sec VIII" as applicable to indicate the original ASME Code stamping.

(Source: Amended at Ill. Reg. _____, effective _____).

Section 120.1275 Field Repair

- a) Field repairs are defined as any repair conducted outside a fixed repair shop location. Field repairs may be conducted with the aid of mobile facilities with repair capabilities with or without testing capabilities. Field repairs may be conducted in user facilities without use of mobile facilities as described above.
- b) Organizations that obtain certification for in-shop/plant repairs may also perform field repairs to safety and safety relief valves provided that:
 - 1) Technicians trained as required by Section 120.1285 in the employ of the certificate holder perform such repairs;
 - 2) Quality Control System meeting Section 120.1260 with procedures for field repairs is maintained;
 - 3) All functions affecting the quality of the repaired valves are supervised from the location where the certification is issued;
 - 4)

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A) Periodic audits of the work carried out in the field are made by quality control personnel of the eCertificate holder to ensure that the requirements of the Quality Control System are met; this audit shall include but not be limited to testing by the eCertificate holder of sample valves which were repaired in the field. Sample valves shall be tested using the eCertificate holder's in-shop/plant testing facilities.

B) Provided the above provisions are met, verification testing of field repaired valves shall not be required.

c) Organizations that only perform field repairs ~~only~~ must demonstrate field repair capabilities to a representatives of the Division. Two valves, one steam and one air as applicable, must be repaired in the field and tested for verification. A Quality Control System Manual must be prepared describing all field repair activities that affect the performance of the repaired valves as specified in Section 120.1260(b).

(Source: Amended at ___Ill. Reg. ___, effective ___).

Section 120.1280 Performance Testing of Repaired Valves

Repaired valves shall meet the performance criteria equivalent to the standard for new valves.

a) Valves marked for steam service or having special internal parts for steam service shall be tested on steam. Valves marked for general service may be tested with air or gas. Each valve shall be tested to demonstrate set pressure, response to blowdown, if required, and set seat tightness in accordance with the requirements of the applicable Sections of the ASME Code.

b) When valves are repaired by the owner for the owner's own use and not for resale, valves for steam service may be tested on air or nitrogen for set pressure and, if possible, blowdown adjustment, provided manufacturer's corrections

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for differential in set pressure between steam and testing medium are applied to the set pressure.

c) A hydraulic or pneumatic device may be used to apply an auxiliary lifting load on the spring of a repaired valve which has been installed on a boiler or pressure vessel to establish the set pressure of the valve in lieu of the tests required in subsections (a) and (b) above, provided calibrated testing equipment and testing procedures are followed. In such cases, the manufacturer's recommendations shall be used to establish blowdown.

(Source: Amended at ___Ill. Reg. ___, effective ___).

Section 120.1285 Training of Valve Repair Personnel

It is essential that valve repair organizations ensure that their personnel making repairs to safety and safety relief valves are knowledgeable and qualified. The repair organization shall provide for documented in-house training for these persons, ~~conforming to HB65 paragraph 12 (1987) as published by the National Board.~~

(Source: Amended at ___Ill. Reg. ___, effective ___).

Section 120.1290 ASME "V", "UV" or National Board "VR" Certificate Holders

a) A manufacturer, assembler or other organization in possession of a valid ASME "V" or "UV" Code Symbol Stamp or an organization in possession of the National Board Certificate of Authorization for use of a National Board "VR" Stamp for the repair of ASME-National Board stamped safety and safety relief valves are authorized by these Rules to repair such valves in accordance with these Rules and such repairs must be within the scope of the organization's Certificate of Authorization whether issued by the ASME or the National Board.

b) A manufacturer or repair firm may perform field repairs of safety and safety relief valves

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covered by his Certificate of Authorization provided that:

- 1) Technicians are trained as required by Section 120.1285 in the employ of the manufacturer or repair firm perform such repairs-1
- 2) Quality Control System meeting Section 120.1260 with procedures for field repairs is maintained-1
- 3) All functions affecting the quality of the repaired valves are supervised controlled from the location for which where the certificates are- was issued-1
- 4) Periodic audits of work carried out in the field are made by quality control personnel of the manufacturer or repair firm to ensure that the requirements of the Quality Control System are met; this audit may include, but not be limited to, witnessing the test of field repaired valves.

- 5) ~~Provided the above provisions are met, verification testing of field repaired valves shall not be required.~~

(Source: Amended at Ill. Reg.____, effective____).

SUBPART ED: OWNER-USER QUALITY CONTROL REQUIREMENTS

Section 120.1300 Introduction

The Illinois State Fire Marshal shall authorize as self-insurers as Owner-Users only those firms which meet all the requirements of Section 16-15 of the Act, Boiler and Pressure Vessel Act (Ill. Rev. Stat. 1985, ch. 111 1/2 par. 3216) and who have a written Quality Control System approved acceptable to the Chief Inspector. by the Superintendent of the Division of Boiler and Pressure Vessel Safety or his designee. The minimum features to be included in the written description of the Quality Control system are as follows- The owner-user applicant shall apply to the Division of Boiler and Pressure Vessel Safety for Owner-User status. The Owner-User shall furnish documentation verifying that the owner user has the financial ability to bear any loss and to pay all final

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judgements or awards obtained against such user by reason of the operation of such boilers or pressure vessels. The owner user Quality Control System will be reviewed by the Superintendent of the Division of Boiler and Pressure Vessel Safety or his designee. His After the Chief Inspector has reviewed the applicant's Quality Control System, he will submit a recommendation report will be submitted to the Board of Boiler and Pressure Vessel Rules for their consideration. Upon review of the Chief Inspector's recommendation, the Board will make a determination for acceptance or rejection of the applicant's status as an Owner-User. The Board will issue a recommendation to the State Fire Marshal who will authorize the owner user to act as a self-insurer. After acceptance as a Owner-User, self-insurer by the State Fire Marshal, the Division of Boiler and Pressure Vessel Safety shall provide for an annual audit of the program. This Subpart is a guide to the features which must be covered in the written description of the Quality Control System Manual.

(Source: Amended at Ill. Reg.____, effective____).

Section 120.1305 Organization

- a) An organization chart showing the relationship between management, engineering, purchasing, manufacturing, and inspection, is required to reflect the actual organization. The purpose of this chart is to identify and associate the various organizational groups with the particular function for which they are responsible. This requirement does not intend to encroach on the Owner-User owner-user's right to establish, and from time to time, alter whatever form of organization the Owner-User owner-user considers appropriate for its work.

- b) The inspection or maintenance service Inspector(s) shall be under the supervision of one or more regularly employed professional engineers Engineer(s).

(Source: Amended at Ill. Reg.____, effective____).

Section 120.1310 Inservice Inspection Program

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The eOwner-User Quality Control System shall include provisions to ensure that inspections are carried out in accordance with written procedures. These procedures must delineate all sources and references of pertinent information to be furnished by the Inspector. Included should be a statement that other sources of qualified help will be made available to the Inspector. These procedures shall highlight the degree of inspection required for the types of vessels involved. As a minimum these procedures shall include provisions for reporting the following:

- a) Internal or external inspection.
- b) Location and thickness of sample areas.
- c) Location and extent of corrosion, bulging, blistering or cracks in shells, head, welding seams, and/or weld heat affected zones.
- d) Type and extent of non-destructive examination employed.
- e) Setting and condition of safety valve, safety relief valve, or rupture disks.
- f) Provisions for complying with the report requirements of the Boiler and Pressure Vessel Safety Act.

(Source: Amended at ___Ill. Reg.____, effective____).

Section 120.1320 Drawings, Design Calculations, and Specification Control

The Owner-User-User's Quality Control System shall provide procedures which will ensure that the latest applicable drawings, design calculations, specifications, and instructions required, as well as authorized changes, are used for inspection and repair.

(Source: Amended at 11 Ill. Reg.____ effective____).

Section 120.1325 Material Control

The eOwner-User shall include a system of material receiving control that requires verification that the material received conforms to order requirements and that the identification of the materials corresponds to the

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material certifications or material test reports. The system shall ensure that only the intended material is used in repairs.

(Source: Amended at ___Ill. Reg.____ effective____).

Section 120.1330 Examination and Inspection Program

The eOwner-User Quality Control System shall describe the repair operations, including examinations, sufficiently to permit the Inspector to determine at what stages specific inspections are to be performed. The system shall include a checklist, traveler or process sheet which lists important stages in the repair procedure which will allow the Inspector to designate his desired inspections. As a minimum the stages shall permit the Inspector to indicate his verification of the following:

- a) Calculations are available.
- b) Materials used comply with the ASME Code.
- c) Welding procedures have been qualified in accordance with Section IX, ASME Code.
- d) Welders and welding operators have been qualified in accordance with Section IX, ASME Code.
- e) Heat treatment, including post weld heat treatment, as applicable, has been performed.
- f) Material imperfections have been acceptably repaired.
- g) Weld defects have been acceptably repaired.
- h) Nondestructive examinations have been performed and results are acceptable.
- i) Material identification markings have been properly transferred.
- j) There are no material or dimensional imperfections.
- k) Performance of internal and/or external inspections and witnessing hydrostatic or pneumatic test.

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(Source: Amended at ___Ill. Reg. ___, effective ___).

Section 120.1335 Correction of Nonconformities

There shall be a system agreed upon with the Inspector for correction of nonconformities. A nonconformity is any condition which does not comply with the applicable Rules. Nonconformities must be corrected or eliminated in some way before the completed component can be considered to comply.

(Source: Amended at ___ll. Reg. ___, effective ___).

Section 120.1340 Welding

The Quality Control System shall include provisions for indicating that welding conforms to requirements of Section IX of the ASME Code.

(Source: Amended at ___Ill. Reg. ___, effective ___).

Section 120.1350 Calibration of Measurement and Test Equipment

The Owner-User Quality Control System shall include provisions for the calibration of examination, measuring, and test equipment used in fulfillment of requirements.

(Source: Amended at ___Ill. Reg. ___, effective ___).

Section 120.1355 Records

The Owner-User Quality Control System shall describe the procedures to be followed to ensure the following records are maintained for the life of the pressure vessel or boiler.

a) Inservice Inspection Records:

- 1) ASME data reports if applicable
- 2) Date ~~vessel~~ object was placed in service
- 3) Record of inservice inspections including Inspector's signature

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b) Repair Record:

- 1) Calculations
- 2) Material test reports
- 3) Traveler
- 4) Welding procedures specifications
- 5) Welding procedure qualification records
- 6) Welder performance qualification records
- 7) Heat treat procedure
- 8) Time-temperature charts
- 9) NDE procedures
- 10) NDE examination reports including NDE technician signature

(Source: Amended at ___Ill. Reg. ___, effective ___).

Section 120.1360 Inspectors

The Quality Control System shall include a definition of Inspector. The Inspector as referenced in this Subpart 5, Owner-User Quality Control Requirements shall meet the requirements of Section 8 and pass an examination in accordance with Section 9 of the Boiler and Pressure Vessel Safety Act. The Inspector must carry out his duties in complete compliance with this Division. The Inspector must have the authority to take necessary action if an unsafe condition is found.

a) The Owner-User Inspector must:

- 1) Be a full-time employee of the Owner-User.
- 2) Be provided with the necessary tools and equipment to properly conduct his inspection duties.
- 3) Be provided with adequate space and necessary office equipment.

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- 4) Be provided with proper and adequate training in order that he may effectively perform his duties. Provisions shall be made for additional training if needed in order to assure effective performance of his duties.
- b) The eOwner-uUser Inspector shall not perform inspections on equipment for which he has operation or maintenance responsibilities.

(Source: Amended at Ill. Reg. _____, effective _____).

Section 120.APPENDIX A Examples of Repairs and Alterations (Repealed)

- a) Introduction: The purpose of this Appendix is to provide owners, users, repair organizations and inspectors with assistance in evaluating whether contemplated work on boilers or pressure vessels should be categorized as repairs or alterations. The significance of this categorization affects the qualifications of the organization performing the work as well as the resultant documentation and symbol stamping of the boiler or pressure vessel.

b) Examples of Repairs:

- 1) Weld repairs or replacement of pressure parts or attachments that have failed in a weld or in the base material.
- 2) The addition of welded attachments to pressure parts, such as:
- A) Studs for insulation or refractory lining
 - B) Hex steel or expanded metal for refractory lining
 - C) Ladder-clip
 - D) Brackets
 - E) Tray support rings
 - F) Corrosion resistant strip lining

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- G) Corrosion resistant weld overlay
 - H) Weld build-up of wasted areas
- 3) Replacement of heat exchanger tube sheets in accordance with the original design.
- 4) Replacement of boiler and heat exchanger tubes including expanding and seal welding.
- 5) In a boiler, a change in the arrangement of tubes in furnace walls, economizer or superheater sections.
- 6) Replacement of pressure retaining parts identical to those existing on a boiler or pressure vessel and described on the original Manufacturer's Data Report. For Example:
- A) Replacement of furnace floor tubes and or sidewall tubes in a boiler.
 - B) Replacement of a shell or head in accordance with the original design.
 - C) Rewelding a circumferential or longitudinal seam in a shell or head.
 - D) Replacement of nozzles of a size where reinforcement is not a consideration.
- 7) Installation of new nozzles or openings of such a size that reinforcement is not a consideration. For example, repairs include the addition of a 3 inch (76mm) pipe size nozzle to a shell or head of 3/8 inch (10mm) or less in thickness or the addition of a 2 inch (50mm) pipe size nozzle to a shell or head of any thickness.
- 8) The addition of a nozzle identical to the original design of a nozzle in the pressure vessel as manufactured is a repair provided the nozzle is located in a similar part of the vessel and is not closer than three times its diameter from another nozzle unless there are special service requirements that restrict such.

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- 9) ~~The installation of a flush patch to a boiler or pressure vessel.~~
- 10) ~~The replacement of a shell course in a cylindrical pressure vessel.~~
- 11) ~~Welding of gage holes in a pressure vessel subject to rapid stress fluctuations.~~
- 12) ~~Welding of a wasted or distorted flange face.~~
- 13) ~~Replacement of slip on flanges with weld neck flanges or vice versa.~~
- 14) ~~Seal welding of butt straps and rivets.~~

e) ~~Repairs of a Routine Nature. Subject to the approval of the Inspector, the types of repairs listed below may be given prior approval as described in R3. (Section 120.1000(c) of this Part. The repairs listed below are examples intended to provide the Inspector with general guidelines and are not intended to be all inclusive.~~

- 1) ~~Weld repair or replacement of tubes or pipes and attachments.~~
- 2) ~~The addition of non pressure attachments to pressure parts where postweld heat treatment is not required.~~
- 3) ~~Weld build up of wasted areas.~~
- 4) ~~Corrosion resistant weld overlay.~~
- 5) ~~Replacement of boiler and heat exchanger tubes including expanding and seal welding.~~
- 6) ~~In a boiler, a change in the arrangement of tubes in furnace walls, economizer or superheater sections.~~
- 7) ~~Rewelding or replacing heat exchanger channel partition plates.~~
- 8) ~~Replacement of nozzles where reinforcement is not a consideration.~~

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- 9) ~~Welding of gage holes in a pressure vessel subject to rapid stress fluctuations.~~
- 10) ~~Replacement of slip on flanges with weld neck flanges or vice versa.~~

d) ~~Examples of Alterations:~~

- 1) ~~To increase the maximum allowable working pressure or temperature of a boiler or pressure vessel regardless of whether or not a physical change was made to the boiler or pressure vessel.~~
- 2) ~~The addition of new nozzles or openings in a boiler or pressure vessel except those classified as repairs.~~
- 3) ~~A change in the dimensions or contour of a pressure vessel.~~
- 4) ~~In a boiler, an increase in any heating surface.~~
- 5) ~~The addition of a pressurized jacket to a pressure vessel.~~
- 6) ~~Replacement of a pressure retaining part in a pressure vessel or boiler with a material of different nominal strength or nominal composition from that used in the original design.~~

e) ~~Examples of Replacement Pressure Parts. Replacement pressure parts are discussed in Section 120.1000(g) of this Part. Examples of the different classifications discussed in the referenced paragraphs are as follows:~~

- 1) ~~Section 120.1000(g)(1) of this Part) seamless or welded tubes or pipe supplies separately or in bundles, forged nozzles, heads or tube sheets forged or machined from a single piece of material, subassemblies of tubes or pipe attached together mechanically.~~
- 2) ~~Section 120.1000(g)(2) of this Part) boiler furnace panel wall or floor assemblies.~~

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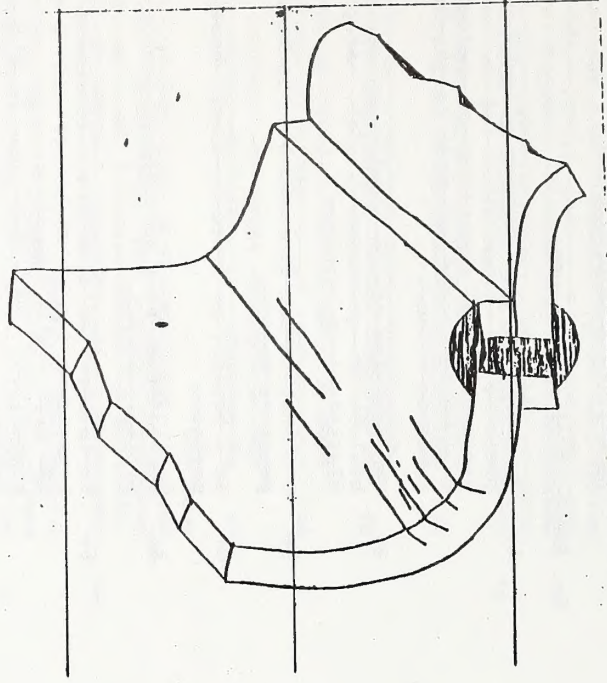
~~prefabricated openings in boiler furnace walls such as burner openings, air ports, inspection openings or soot blower openings.~~

- 3) ~~Section 120-1000(g)(3) of this part) a boiler or pressure vessel replacement part falls within this classification if a Manufacturer's Partial Data Report would normally be required under the provisions of the applicable Section of the ASME Code~~

(Source: Repealed at Ill. Reg. _____, effective _____).

FIGURE 1 - UNSTAYED BOILER FURNACES (Repealed)

~~Cracks at the knuckle or at the turn of the flange of the furnace opening require immediate replacement of the affected area. If repairs are attempted, specific approval of the jurisdiction is required.~~



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FIGURE 2 - RIVET AND STAYBOLT HOLE CRACKS (Repealed)

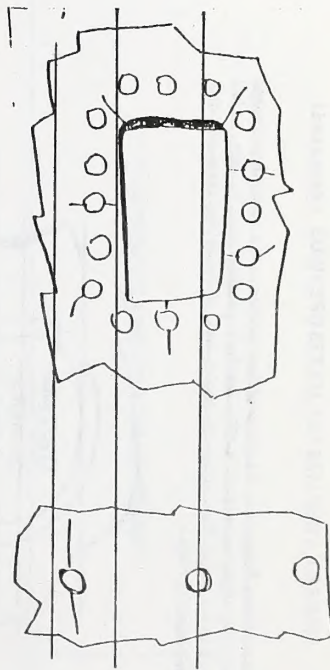
Cracks radiating from rivet or staybolt holes may be repaired if the plate is not seriously damaged. If the plate is seriously damaged, it shall be replaced. A suggested repair method is described below:

- Prior to welding, the rivets or staybolts from which the cracks extend and the adjacent rivets or staybolts (if appropriate) should be removed.
- In riveted joints, tack bolts should be placed in clearance holes to hold the plate laps firmly.
- The cracks should then be prepared for welding by chipping, grinding or gouging.
- In riveted joints, cracks which extend past the inner edge of the plate lap should be welded from both sides.
- Rivet holes should be reamed before new rivets are driven.
- Threaded staybolt holes should be rethreaded and new staybolts properly driven and headed.



Fire Cracks at Girth Seams

Circumferential Cracks at Girth Seams



Cracks in Stayed Plates

Fire Cracks at Door Openings

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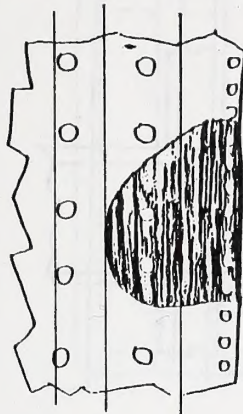
NOTICE OF PROPOSED AMENDMENTS

FIGURE 3 - WELD BUILD-UP OF WASTED AREAS (Repealed)

Wasted areas in stayed and unstayed surfaces may be built-up by welding provided that in the judgment of the inspector the strength of the structure will not be impaired. Where extensive weld build-up is employed, the inspector may require an appropriate method of NDE (Non-Destructive Examination) for the complete surface of the repair.

RIVET & STAYBOLTS

- Prior to welding, the rivets or staybolts in the wasted area should be removed.
- Threaded staybolt holes should be reamed after welding.
- Rivet holes should be reamed after welding.
- Welding should not cover rivet or staybolt heads.



TUBESHEET

- Prior to welding, the tubes in the wasted area should be removed.
- After welding, the tube holes may be reamed before new tubes are installed.

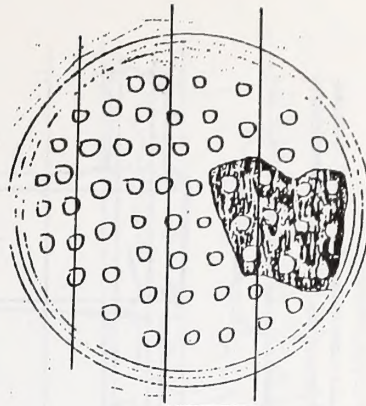
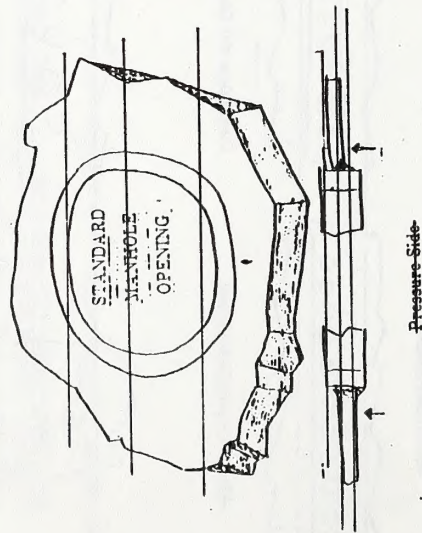


FIGURE 4 - REPAIRS FOR ACCESS OPENINGS (Repealed)

A badly wasted manhole flange may be removed and replaced with a ring-type frame as shown above. The requirements of R-105.1 for flush patches shall be met. A full penetration weld is required. May either be double welded or welded from one side with or without a backing ring.



A badly wasted area around a handhole opening may be repaired by adding a ring as shown above on the inside of the object.

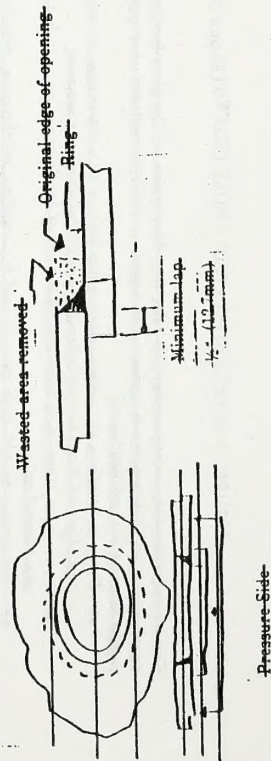
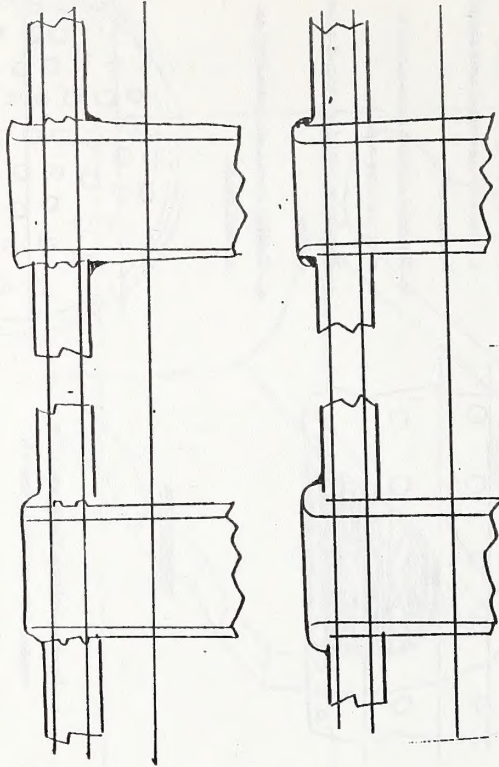


FIGURE 5 - TYPICAL EXAMPLES OF SEAL WELDING TUBES (Repealed)

Tubes may be seal welded provided the ends of the tubes have sufficient wall thickness to prevent burn through. Seal welding should be applied with a minimum of three light layers in lieu of one or two heavy layers. In water-tube boilers, tubes may be seal welded on the inside or outside of the tubesheet.

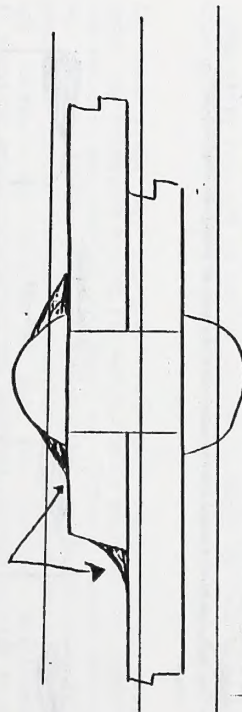


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FIGURE 6 - SEAL WELDING OF RIVETED JOINTS (Repealed)

Seal Welding of riveted joints requires the approval of the jurisdiction. Seal welding shall not be considered a strength weld.
Prior to welding, the area should be examined by an appropriate method of NDE (Non Destructive Examination) to assure that there are no cracks radiating from the rivet holes. If necessary, the rivets should be removed to assure complete examination of the area. Seal welding should not be performed if cracks are present in riveted areas.

Throat Approx. 1/4" (3.2mm)

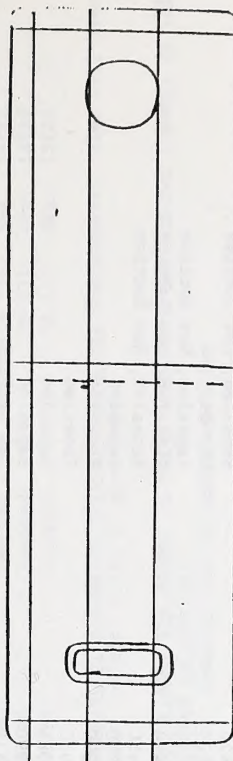


TYPICAL RIVET JOINT SHOWING SEAL WELD

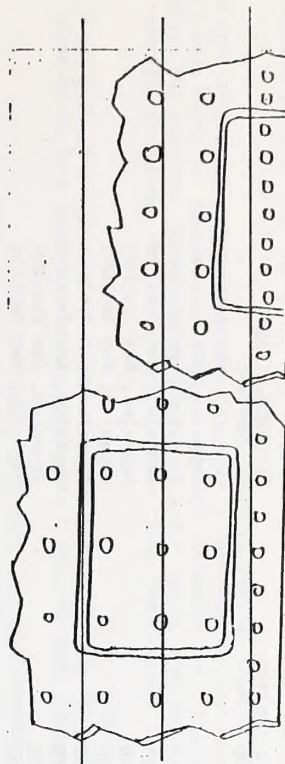
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FIGURE 7 - FLUSH OR BUTT-WELDED PATCHES (Repealed)

Before installing a flush patch, the defective metal should be removed until sound metal is reached. The patch should be rolled or pressed to the proper shape or curvature. The edges should align without overlap.
In stayed areas the weld seams should come between staybolt rows or riveted seams. Patches should be made from material that is at least equal in quality and thickness to the original material.
Patches may be of any shape or size, if the patch is rectangular, an adequate radius should be provided at the corners. Square corners should be avoided.



FLUSH PATCHES IN UNSTAYED AREAS



FLUSH PATCHES IN STAYED AREAS

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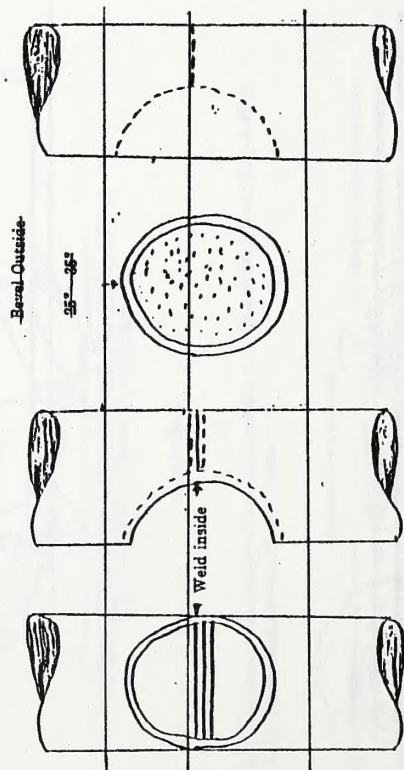
NOTICE OF PROPOSED AMENDMENTS

FIGURE 8 - TUBE WINDOW PATCHING METHOD (Repealed)

It may be necessary to weld a flush patch on a tube since in some situations, accessibility around the complete circumference of the tube is restricted. Listed below are suggested methods for making window patches:

- The patch should be made from tube material of the same type, diameter and thickness as the one being repaired.
- Fitup of the patch is important to weld integrity. The root opening should be uniform around the patch.
- The gas tungsten arc welding process should be used for the initial pass on the inside of the tube and for the initial pass joining the patch to the tube.
- The balance of the weld may be completed by any appropriate welding process.

-55-



~~SEE NEW
SHOWING PATCH
FIG. 8-55-55~~

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- 1) The Heading of the Part: The Illinois Oil and Gas Act

- 2) Code Citation: 62 Ill. Adm. Code 240

- 3) Section Number:

240.800	Proposed Action:
240.805	New Section
240.810	Repealed, New Section
240.820	Repealed, New Section
240.830	Repealed, New Section
240.840	Repealed, New Section
240.850	Repealed, New Section
240.860	Repealed, New Section
240.870	Repealed, New Section
240.880	Repealed, New Section
240.890	Repealed, New Section
240.895	Repealed, New Section
240.905	New Section
240.910	Repealed, New Section
240.920	Repealed, New Section
240.925	New Section
240.930	Repealed, New Section
240.940	Repealed, New Section
240.950	Repealed, New Section
240.960	Repealed
240.970	Repealed
240.980	Repealed
240.985	Repealed
240.990	Repealed
240.1181	New Section
240.1400	Amended
240.1410	Amended
240.1420	Amended
240.1430	Amended
240.1450	Amended
240.1460	Amended

- 4) Statutory Authority: Implemented and authorized by Section 8 of the Illinois Oil and Gas Act (Ill. Rev. Stat. 1991, ch. 96 1/2, par. 5414)

- 5) A complete description of the subjects and issues involved:

These proposed amendments are being submitted by the Illinois Department of Mines and Minerals, Oil and Gas Division ("IDMM"), in order to more effectively implement the requirements of the Illinois Oil and Gas Act. These proposed amendments affect all of Subparts H, I and N of rules currently codified within 62 Ill. Adm. Code Part 240 as well as add a new Section 240.1181 to Subpart K.

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Subpart H is being amended to accomplish five (5) distinct objectives. First, the IDMM is more clearly outlining general operating and maintenance requirements for oil and gas leases. Specifically, these amended rules set forth acceptable standards for lease and well identification, the construction and maintenance of tanks and containment dikes, the emplacement and maintenance of flowlines, the emplacement of power lines and storage of equipment. Second, the IDMM is establishing concise standards for permitting, constructing, maintaining and removing produced water pits. Moreover, these new standards ensure that oil and gas well operators remove pits in an environmentally responsible manner. Third, the IDMM's amended rules identify certain pits historically associated with oil and gas production that are prohibited under the Illinois Oil and Gas Act. Fourth, the IDMM has clearly identified the party responsible for plugging unpermitted drill holes that leak into the freshwater or onto the surface. Finally, the IDMM's amended rules set out the procedures for resolving crude oil and produced water spills.

Subpart I is being amended to accomplish three (3) distinct objectives. First, the IDMM is revising its application process for permits to operate a liquid oilfield waste transportation system and for the related vehicle permits in order to more carefully regulate the disposal of water produced by oil and gas operations. Second, the IDMM is revising the standards for initial permit issuance as well as the subsequent vehicle inspection process and the permittee's recordkeeping requirements to more closely monitor the disposal of produced water. Finally, the IDMM has outlined the storage and disposal requirements for produced water, crude oil bottom sediments and crude oil spill wastes in a manner that is practical and environmentally responsible.

New Section 240.1181 is being added to Subpart K to define, with more clarity the steps that must be taken to restore an oil or gas well lease site.

Subpart N is being amended to accomplish three (3) distinct objectives. First, the IDMM is expanding the number of documents used to transfer the ownership of oil and gas wells in order to reflect current industry and IDMM practice. Second, amended rules are being proposed in order to ensure that new permittees that acquire the right to operate wells pursuant to either a voluntary release, involuntary termination of lease rights by court order or new base lease shall apply for and receive a permit transfer from the IDMM prior to operating such wells. Third, the amended rules ensure that wells are not shifted to a new entity absent the express consent of such party to becoming a new permittee. Finally, the IDMM has precisely outlined the manner in which the new permittee takes responsibility for pre-existing wells and related equipment located within the boundaries of the new lease.

- 6) Will this proposed rule replace an emergency rule currently in effect?
No

- 7) Does this rulemaking contain an automatic repeal date? No
8) Do these proposed amendments contain incorporations by reference? No
9) Are there any other amendments pending on this Part? Yes

Section Number	Proposed Action	Illinois Register Citation
240.131	New Section	16 Ill. Reg. 13722
240.132	New Section	16 Ill. Reg. 13722
240.133	New Section	16 Ill. Reg. 13722
240.160	Amended	16 Ill. Reg. 13722
240.170	Amended	16 Ill. Reg. 13722
240.180	Amended	16 Ill. Reg. 13722
240.190	Amended	16 Ill. Reg. 13722
240.195	Amended	16 Ill. Reg. 13722

- 10) Statement of Statewide Policy Objectives: The proposed rules will have no impact on local units of government

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Written comments may be submitted to:

John C. Henriksen, General Counsel
Illinois Department of Mines and Minerals
300 West Jefferson, Suite 300
Springfield, IL 62791-0137

Commenters must provide a name and address. Comments must be directed to a specific subsection and must be made on a separate sheet of 8 1/2 x 11 inch paper.

Comments may include data, views, arguments or any documents relevant to the proposals noted above in the Description of Subjects and Issues involved. All comments are due at the above address no later than 5:00 p.m. on Monday, February 1, 1993. Comments received thereafter will not be considered in this rulemaking.

The Department will hold a public hearing on the proposed rulemaking on Tuesday, January 12, 1993 at 9:00 a.m. at the Ramada Inn in Mt. Vernon, Illinois. Representatives of small businesses are encouraged to comment above the impact of the proposed rulemaking at this public hearing.

- 12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses affected: All well operators employing less than fifty people and having less than four million dollars in annual sales.

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B) Reporting, bookkeeping or other procedures required for compliance:

Section 240.850 requires an oil or gas well operator to apply for a permit to build a produced water storage pit, on a form provided by the IDMM, prior to the construction of such pit.

Section 240.880 requires an oil or gas well operator to report spills of crude oil or produced water to the Emergency Service and Disaster Agency's emergency response number and the IDMM's district office responsible for the county where the spill occurred.

Section 240.905 requires a person or company that wants to operate a liquid oilfield waste transportation system or a liquid oilfield waste transportation vehicle to apply for a permit for such operations on a form provided by the IDMM.

Section 240.925 requires liquid oilfield waste haulers to maintain records documenting all liquid oilfield waste received and disposed of and to retain such records for a minimum of three (3) years.

Section 240.940 requires oil well operators who want to dispose of crude oil bottom sediments via lease road oiling to submit an application to conduct such activities on a form provided by the IDMM.

Section 240.950 requires operators wishing to undertake off-site or on-site disposal of crude oil waste products to apply for authorization from the appropriate regulatory authority.

C) Types of professional skills necessary for compliance: None

The full text of the Proposed Amendments begins on the next page.

DEPARTMENT OF MINES AND MINERALS

NOTICE OF PROPOSED AMENDMENT(S)

TITLE 62: MINING

CHAPTER I: DEPARTMENT OF MINES AND MINERALS

PART 240

THE ILLINOIS OIL AND GAS ACT

SUBPART A: GENERAL PROVISIONS

Section	
240.10	Definitions
240.20	Prevention of Waste (Repealed)
240.30	Jurisdiction (Repealed)
240.40	Enforcement of Act (Repealed)
240.50	Delegation of Authority (Repealed)
240.60	Right of Inspection (Repealed)
240.70	Right of Access (Repealed)
240.80	Sworn Statements (Repealed)
240.90	Additional Reports (Repealed)
240.100	When Rules Become Effective (Repealed)
240.110	Notice of Rules (Repealed)
240.120	Forms (Repealed)
240.130	Hearings--Notices
240.140	Violations Not Requiring Formal Action
240.150	Notice of Violation
240.160	Director's Decision
240.170	Cessation Order
240.180	Enforcement Hearings
240.190	Temporary Relief
240.195	Subpoenas

SUBPART B: PERMIT APPLICATION PROCEDURES FOR PRODUCTION WELLS

Section	
240.200	Applicability
240.210	Application for Permit to Drill, Deepen or Convert to a Production Well
240.220	Contents of Application
240.230	Authority of Person Signing Application
240.240	Additional Requirements for Directional Drilling
240.250	Issuance of Permit
240.255	Underground Injection and Disposal Projects (Recodified)
240.260	Change of Well Location
240.270	Application for Approval of Enhanced Recovery Injection and Disposal Operations (Repealed)
240.280	Duration of Underground Injection Well Orders (Repealed)

SUBPART C: PERMIT APPLICATION PROCEDURES FOR CLASS II UTC WELLS

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Section
240.300 Applicability
240.305 Transfer of Management (Recodified)
240.310 Application for Permit to Drill, Deepen or Convert to a Class II UIC Well
240.320 Contents of Application
240.330 Authority of Person Signing Application
240.340 Proposed Well Construction and Operating Parameters
240.350 Groundwater and Potable Water Supply Information
240.360 Area of Review
240.370 Public Notice
240.380 Issuance of Permit
240.390 Permit Amendments
240.395 Update of Class II UIC Well Permits Issued Prior to July 1, 1987

SUBPART D: SPACING OF WELLS

Section
240.410 Drilling Units
240.420 Well Location Exceptions within Drilling Unit
240.430 Drilling Unit Exceptions
240.440 More Than One Well on a Drilling Unit
240.450 Directional Drilling
240.460 Special Drilling Units Based Upon Reservoir Characteristics

SUBPART E: WELL DRILLING COMPLETION
AND WORKOVER REQUIREMENTS

Section
240.500 Definitions
240.510 Department Permit Posted
240.520 Drilling Fluid Handling and Storage
240.530 Completion Fluid and Completion Fluid Waste Handling and Storage
240.540 Drilling and Completion Pit Restoration
240.550 Disposal of General Oilfield Wastes

SUBPART F: WELL CONSTRUCTION, OPERATING AND REPORTING
REQUIREMENTS FOR PRODUCTION WELLS
OPERATING REQUIREMENTS

Section
240.600 Applicability
240.610 Construction Requirements for Production Wells
240.620 Remedial Cementing of Leaking Wells
240.630 Operating Requirements
240.640 Reporting Requirements
240.650 Confidentiality of Well Data
240.655 Mechanical Integrity Testing for Class II Injection Wells

(Repealed)
240.660 Monitoring and Reporting Requirements for Enhanced Recovery
240.670 Injection and Disposal Wells (Repealed)
240.680 Avoidable Waste of Gas (Repealed)
240.680 Escape of Unburned Gas Prohibited (Repealed)

SUBPART G: WELL CONSTRUCTION, OPERATING
AND REPORTING REQUIREMENTS FOR CLASS II UIC WELLS

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240.700 Applicability
240.710 Surface and Production Casing Requirements for Newly Drilled Class II UIC Wells Drilled After the Effective Date of this Section
240.720 Surface and Production Casing Requirements for Conversion to Class II UIC Wells
240.730 Surface and Production Casing Requirements for Existing Class II UIC Wells
240.740 Other Construction Requirements for Class II UIC Wells
240.750 Operating Requirements for Class II UIC Wells
240.760 Internal Mechanical Integrity Testing for Class II UIC Wells
240.770 External Mechanical Integrity Testing for Class II UIC Wells
240.780 Reporting Requirements for Class II UIC Wells
240.790 Confidentiality of Well Data

SUBPART H: GENERAL LEASE OPERATING REQUIREMENTS AND
AVOIDANCE-OF-SURFACE-POLLUTION

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240.800 Definitions
240.805 Introduction Lease and Well Identification
240.810 Disposal-in-Underground-Stratum Tanks and Containment Dikes
240.820 Disposal-in-Earthen-Pits Flowlines
240.830 Pipes-to-be-Kept-in-Repair Power Lines
240.840 Burn-Off-Pits Equipment Storage
240.850 Lease-Tank-Reservoirs Produced Water Storage Pits
240.860 Fire-Hazards-at-Well-Locations Other Pits
240.870 Mining-Board-Supervision Leaking Undermined Drill Hole
240.880 Yearly-Inspection-of-Pits-Revocation-of-Permits-Orders-for-Corrective-Action-and-Other-Disposal Spill Notification
240.890 Lease-and-Well-identification Crude Oil Spill Clean-Up Requirements
240.895 Produced Water Spill Clean-Up Requirements

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WASTE HANDLING AND DISPOSAL BRINE-HANDLING

Section
240.905 Introduction--(Recodified) Application for Permit to Operate a

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NOTICE OF PROPOSED AMENDMENT(S)

240.910 Liquid Oilfield Waste Transportation System and for Vehicle Permit
240.920 Authority--Pottery-and-Purpose Inspection of Vehicles
240.925 Definitions Issuance of Permits
240.930 Liquid Oilfield Waste Recordkeeping Requirements
240.930 Oil-Field-Brine-Haulers-Permit Produced Water
240.940 Applications-for-Brine-Hauling--Permit-Sheil-include-the-Following:
Crude Oil Bottom Sediments
240.950 Applications-for--Oil-Field--Brine-Hauling--Permits--Signatures-and
Authorization Crude Oil Spill Waste Disposal
240.960 Oil Field Brine Hauling Permit Conditions (Repealed)
240.970 Inspection of Vehicles (Repealed)
240.980 Transfer of Permits (Repealed)
240.985 Revocation of Oil Field Brine Hauling Permit (Repealed)
240.990 Records and Reporting Requirements (Repealed)
240.995 Bonds--Blanket Surety Bond (Repealed)

SUBPART J: VACUUM

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240.1005 Requirements for Use of Vacuum Pumps
240.1010 Application for Use of Vacuum
240.1020 Notice and Hearing on Application
240.1030 Mining Board Authority

SUBPART K: PLUGGING OF WELLS

Section
240.1105 Plugging of Non-Productive Wells (Repealed)
240.1110 Definitions
240.1120 Plugging of Uncased Wells
240.1130 Plugging or Temporary Abandonment of Abandoned or Inactive Wells
240.1140 General Plugging Procedures and Requirements
240.1150 Specific Plugging Procedures
240.1151 Procedures for Plugging Coal Seams
240.1160 Plugging Fluid Handling and Storage
240.1170 Plugging Fluid Waste Disposal and Well Site Restoration
240.1180 Lease Restoration (Repealed)
240.1181 Lease Restoration Requirements
240.1190 Filling Plugging Affidavit

SUBPART L: OTHER WELLS

Section
240.1200 Application for Permit for Geological or Structural Test Hole
240.1205 Transfer of Management (Recodified)
240.1210 When Bond Required--Amount (Recodified)
240.1220 Kind of Bond--Execution (Recodified)
240.1230 Bond of Manager (Recodified)

ILLINOIS REGISTER

DEPARTMENT OF MINES AND MINERALS

NOTICE OF PROPOSED AMENDMENT(S)

240.1240 Bond Form--Approval (Recodified)
240.1250 Surety May Cancel Bond (Recodified)
240.1260 Mining Board May Cancel Bond (Recodified)
240.1270 Casing Puller's Bond (Recodified)

SUBPART M: PROTECTION OF WORKABLE COAL BEDS

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240.1305 Permit Requirements in Mine Areas
240.1310 Workable Coal Beds Defined
240.1320 Mining Board may Determine Presence of Coal Seams
240.1330 Well Locations Prohibited
240.1340 Notice to Mining Board
240.1350 Casing and Protective Work
240.1360 Operational Requirements Over Active Mine
240.1370 Inspection of Vehicles (Recodified)
240.1380 Transfer of Permits (Recodified)
240.1385 Revocation of Oil Field Brine Hauling Permit (Recodified)
240.1390 Records and Reporting Requirements (Recodified)
240.1395 Bonds--Blanket Surety Bond (Recodified)

SUBPART N: TRANSFER OF OWNERSHIP

Section
240.1400 Definitions
240.1405 Transfer of Management (Repealed)
240.1410 Applicability
240.1420 When Notification to be Made
240.1430 Responsibilities of Current Permittee
240.1440 Responsibilities of New Permittee
240.1450 Authority of Persons Signing Notification
240.1460 Other Conditions for and Effect of Transfer
240.1470 Casing Puller's Bond (Repealed)

SUBPART O: BONDS

Section
240.1500 When Required and Amount
240.1510 Definitions
240.1520 Bond Requirements
240.1530 Forfeiture of Bonds

AUTHORITY: Implementing and authorized by Sections 6 and 8a of "The Illinois Oil and Gas Act" (Ill. Rev. Stat. 1989, ch. 96 1/2, pars. 5409 and 5413).

SOURCE: Adopted November 7, 1951; emergency amendment at 6 Ill. Reg. 903, effective January 15, 1982, for a maximum of 150 days; amended at 6 Ill. Reg.

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5542, effective April 19, 1982; codified at 8 Ill. Reg. 2475; amended at 11 Ill. Reg. 2818, effective January 27, 1987; amended at 14 Ill. Reg. 2317, effective January 25, 1990; recodified at 14 Ill. Reg. 3053; amended at 14 Ill. Reg. 13620, effective August 8, 1990; amended at 14 Ill. Reg. 20427, effective January 1, 1991; amended at 15 Ill. Reg. 2706, effective January 31, 1991; recodified at 15 Ill. Reg. 8566; recodified at 15 Ill. Reg. 11641; emergency amendment at 15 Ill. Reg. 14679, effective September 30, 1991 for a maximum of 150 days; amended at 15 Ill. Reg. 15493, effective October 10, 1991; amended at 16 Ill. Reg. 2576, effective February 3, 1992; amended at 16 Ill. Reg. 15513, effective September 29, 1992; Expedited correction at 16 Ill. Reg. 18859, effective September 29, 1992; amended at 111. Reg. _____, effective _____.

(NOTE: Capitalization denotes statutory language.)

SUBPART H: GENERAL LEASE OPERATING REQUIREMENTS
AND AVOIDANCE OF SURFACE POLLUTION

Section 240.800 Definitions

For the purpose of this Subpart the term:

"Crude Oil Bottom Sediments" means bottom sediments contained in pits or tanks in a liquid or semi-liquid state generated from the collection and storage of crude oil.

"Equipment Debris" means any production related equipment such as tanks, treaters, tubulars, injection pumps, pump jacks and any other general equipment or machinery used in connection with oil production which is no longer in repairable condition.

"Produced Water Bottom Sediments" means bottom sediments contained in pits or tanks in a liquid or semi-liquid state which were generated from produced water storage.

(Source: Added at 111. Reg. _____, effective _____.)

Section 240.805 Introduction Lease and Well Identification

To assure fresh water supplies and to prevent waste, no person shall dispose of site water or other waste liquids except in the following manner: Any other method of disposal is hereby prohibited:

- a) Each lease shall have a legible sign in a conspicuous place on or near the lease entrance or on the storage tank(s). The sign shall show the permittee, the lease name, the Section, Township and Range, and a telephone number at which the permittee or his authorized

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agent can be reached.

- b) Each well shall be marked or have a legible sign containing the well name and number as shown on the permit.
- c) Any change in well or lease information required to be posted shall be made to the lease or well signs within sixty (60) days after the change occurs, or in the case of a transfer of ownership, within sixty (60) days after the effective date of the transfer in the Department records.

(Source: Section repealed, new Section adopted at 111. Reg. _____, effective _____.)

Section 240.810 Disposal in Underground Stratum Tanks and Containment Dikes

Site water or other waste liquids may be disposed of into an underground formation or strata after a permit to do so has been procured from the Mining Board as hereinbefore provided. The Mining Board shall have authority to designate and approve the stratum into which such liquids shall be disposed of, also the protective work necessary to confine such liquids to the intended stratum. All such work shall be executed under the supervision of a Mining Board Representative and shall conform to the requirements imposed in granting the permit therefor.

a) Tank Requirements

- 1) All tanks shall be surrounded by containment dikes except tanks located in a floodplain that floods at least annually.
- 2) Tanks shall not be buried.
- 3) All tanks shall be maintained in a leak-free condition.

b) Containment Dike Construction

- 1) A containment dike shall have a capacity of at least one and one half (1 1/2) times the largest tank it contains, and be bermed at least eighteen (18) inches above the ground surface.
- 2) Containment dikes shall be constructed of native soil. In areas of sand, containment dikes shall be constructed of non-sandy soils and the bottom lined with at least six (6) inches of non-sandy soil.
- 3) Containment dikes shall not have any breach or other uncontrolled conduit that penetrates the dike and allows the discharge of produced water, liquid oil wastes or stormwater.

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Drains consisting of a pipe with a plug, shut-off valve or other method which will prohibit uncontrolled discharge are permissible for the drainage of stormwater only subject to the following conditions:

- A) water quality is less than 1500 ppm Chlorides, and less than 3000 ppm TDS;
- B) there is no visible sheen of oil;
- C) discharge occurs during daylight hours; and
- D) the permittee or his agent is present at all times during discharge.

4) Discharge of produced fluids or other liquid oilfield wastes are prohibited.

c) Containment Dike Maintenance

- 1) The area within the dike shall remain free of liquid oilfield waste, general oilfield waste, equipment debris, storm water runoff and excessive vegetation.
- 2) Any spill escaping from a containment dike shall be cleaned up in accordance with Section 240.950 of this Part.

(Source: Section repealed, new Section adopted at ____ Ill. Reg. _____, effective _____)

Section 240.820 Disposal in Earthen Pits Flowlines

Salt water and other waste liquids may be impounded and collected or disposed of by evaporation in excavated earthen pits where the salt water or other waste liquids will not contaminate ground water or pollute surface water in accordance with the following rules:

a) New Pits-

-Before any earthen pit may be constructed for such purposes the operator shall file with the Mining Board an application on a form approved by the Board. The form may request such geological and engineering data as is reasonably necessary to enable the Oil and Gas Division to determine whether or not the pit will be sufficient to prevent the contamination of ground water or pollution of surface water. Within ten days after receipt of such application, the Mining Board shall:

- i) Return the application with an explanation as to why permit has

been refused; or

- 2) Issue a permit for the construction and use of the pit. Earthen pits may be constructed for such purposes only when the pit is underlain by tight soil such as clay or hardpan. Where the soil under the pit is porous and closely underlain by a gravel or sand stratum, impounding of salt water or the waste liquids in earthen pits is hereby prohibited except where the pit is constructed with such material which will prevent seepage from the pit.

b) Existing Pits

- i) Within six (6) months from the effective date of this rule, operators of all existing salt water pits shall submit application for a permit for said pits on such forms as the Mining Board may provide. The application will be approved subject to physical inspection if the pit adequately prevents the escape of waste liquids.
- 2) When such liquids are impounded in earthen pits, the pit shall be constructed and maintained so as to prevent escape therefrom. The waste liquids in earthen pits shall at no time be permitted to rise above the lowest point of the ground surface level. All pits shall have continuous walls surrounding them so that no surface drainage from adjacent areas can enter the pits. No pit shall be used in an area which is subject to flooding by streams, rivers, lakes, or drainage ditches, unless so constructed that the pit would not normally be affected by flooding.

- a) All flowlines used in the production of oil and/or natural gas, constructed after the effective date of this rule, shall be buried at least thirty-six (36) inches below the ground surface. The flowline shall be exempt from these burial requirements if made of steel and either of the following conditions exist:

- 1) the topographical features, land uses or ground conditions prevent the efficient burial of flowlines; or
- 2) the terms of the oil and gas lease prohibit the burial of flowlines.

- b) The Department shall have the authority to take enforcement action (pursuant to Sections 240.140 through 240.170 of this Part) requiring flowlines existing on the effective date of this rule to be replaced or buried if the Department finds, based on field observation, that the flowlines constitute a hazard to public safety

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or can reasonably be expected to cause damage to the environment through leaks and spills.

be-continually-maintained;-and-the-reservoir--within-shall-be-kept--free-from vegetation;-water;-or-oil-

- c) No flowline conveying produced water shall have an outlet valve for the discharge of produced water between the place or well of origin and the authorized storage or disposal point.

a) Applicability

This Section pertains to all existing pits on the effective date of this rule and all newly constructed pits permitted after the effective date of this rule.

(Source: Section repealed, new Section adopted at _____ Ill. Reg. _____, effective _____)

b) Pit Use

- 1) Pits are to be used only for temporary storage of produced water prior to injection into a permitted Class II well.

- 2) All produced water storage pits are required to be permitted and may not be used until the permit is issued.

All power lines shall be buried at least thirty-six (36) inches below the ground surface or elevated on power poles at a height sufficient for farm machinery to pass underneath.

c) Pit Permitting Procedures

The permittee shall apply for a permit on a form prescribed by the Department which shall include the following:

(Source: Section repealed, new Section adopted at _____ Ill. Reg. _____, effective _____)

Section 240.840 Burn-Off-Pits Equipment Storage

To prevent fire hazards and waste from waste oil, the same shall be collected in burn-off pits which shall be located a safe distance from oil storage tanks, buildings, or other structures, and shall be burned as often as necessary to prevent overflowing. Such pits shall be constructed to prevent the escape of oil therefrom, and shall have a continuous wall completely surrounding the pit of sufficient height above the surface to prevent surface water from running into the pit. Earthen pits will be permitted at locations where the soil is heavy and tight, but shall be prohibited in locations where the soil is porous and closely underlain by either gravel or sand strata.

Equipment debris or equipment not integrally related to production activities on a lease or unit shall not be stored on the lease except with the agreement of the surface owner.

(Source: Section repealed, new Section adopted at _____ Ill. Reg. _____, effective _____)

Section 240.850 Lease-Tank-Reservoirs Produced Water Storage Pits

When it is deemed necessary by the Mining Board to protect life, health or property, the Mining Board may require any lease or oil storage tanks to be surrounded by an earthen dike which shall have a capacity of one and one-half (1 1/2) times the capacity of the tank or tanks it surrounds, which dike shall

d) General Pit Construction Requirements

- 1) No pit shall be located:

- A) within two hundred (200) feet of an existing inhabited structure, unless the current owner of the structure has provided a written waiver consenting to the construction closer than two hundred (200) feet. Any pit located closer than two hundred (200) feet shall be completely fenced to prevent unauthorized access;

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- B) within two hundred (200) feet of a domestic water supply well or twenty-five hundred (2,500) feet of a municipal water supply well;
 - C) within two hundred (200) feet of a stream, body of water, or marshy land;
 - D) in an area which is subject to annual flooding by streams, rivers, lakes, or drainage ditches.
- 2) Surface water drainage shall be diverted away from the pit.
- 3) Pit contents shall not be discharged from the pit onto the surrounding land surface or into a stream or other body of water unless an NPDES or surface discharge permit has been obtained from the Illinois Environmental Protection Agency ("IEPA").
- 4) The pit permit number and the name of the permittee must be posted at the pit in a legible and visible manner.

e) Earthen Pit Construction Requirements

- 1) The pit must be lined with a synthetic flexible liner that is compatible with the produced water and has a coefficient of permeability of no greater than 1×10^{-7} cm/sec and shall be at least 30 mils in thickness. Adjoining sections of liners shall be sealed together in accordance with the manufacturer's specifications.
- 2) The pit shall be constructed so that the liner subbase is smooth, uniform and free of debris, rock, and other material that may puncture, tear, cut, rip or otherwise cause the liner to fail. The liner subbase and subgrade shall be capable of bearing the weight of the material above the liner without settling. If the pit bottom or sides consist of rock, shale or other material that may cause the liner to fail and leak, a subbase of at least six (6) inches of soil, sand or smooth gravel, or sufficient amount of an equivalent material, shall be installed over that area as the subbase for the liner.
- 3) After installation of the liner and prior to pit use, the pit shall be inspected by a Department Well Inspector. The permittee shall correct damages or imperfections before placing fluid in the pit.
- 4) Puncturing or perforating the liner or installing any type of

f) Concrete Pit Construction Requirements

- 1) Concrete lined pits shall be constructed utilizing standard engineering practices using formed concrete bottom and sides.
 - 2) Pits may be either at or below the ground surface.
 - 3) After installation of the concrete liner and prior to pit use, the pit shall be inspected by a Department Well Inspector. The permittee shall correct damages or imperfections before placing fluid in the pit.
 - 4) Puncturing or perforating the concrete liner or installing any type of drainage system is prohibited.
- g) Pit Abandonment and Restoration

- 1) Earthen Pits
 - A) Prior to encapsulating the residue within the liner, the free liquid fraction of the waste shall be removed and disposed of in a Class II UIC well.
 - B) The liner shall be folded over to completely cover the pit residue. The liner shall be folded and shaped, and an additional liner added if necessary, so that water will not infiltrate the folded liner.
 - C) The folded liner and encapsulated pit residue shall be removed from the site or buried in place at least five (5) feet below the ground surface. The pit shall be backfilled and graded to promote runoff with no depressions that would accumulate or pond water on the surface. The stability of the backfilled pit shall be compatible with the adjacent land use. The surface area over the backfilled pit area shall be stabilized to prevent erosion.
- 2) Concrete Pits
 - A) Prior to removal or burial of the pit structure, the free liquid fraction of the waste shall be removed and disposed of in a Class II UIC well.
 - B) If the pit is an above ground structure, the pit must be completely dismantled and removed from the site. The

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surface area shall be leveled and restored in such a manner as to prevent the ponding of water and erosion.

- C) If any portion of the structure is below ground, the portion of the structure within three (3) feet of the surrounding surface shall be removed. Any remaining structure must be configured to prevent the accumulation of water within the remaining structure and backfilled to prevent surface ponding and subsidence.

h) Inspection of Pits

All produced water pits shall be subject to inspection by a Department Well Inspector. If requested at time of the inspection, the pit shall be emptied in order to examine the integrity of the liner. The Department may order any remedial work it deems necessary to ensure compliance with Department regulations.

(Source: Section repealed, new Section adopted at _____ Ill. Reg. _____, effective _____)

Section 240.860 Fire Hazards at Well Locations Other Pits

All well and tank locations shall be kept free of dead grass, brush, weeds and other inflammable material and so maintained at all times.

- a) Pits other than those specified in this Subpart and Subparts E and K of this Part are prohibited.

- b) Burn-off pits used for burning of crude oil bottom sediments or pits used for collection on storage of crude oil bottom sediments are prohibited.

(Source: Section repealed, new Section adopted at _____ Ill. Reg. _____, effective _____)

Section 240.870 Mining Board Supervision Leaking Unpermitted Drill Hole

When salt water or other waste liquid is not properly impounded or is being improperly disposed of, or pollution of utilized fresh water stratum is occurring from improper drilling procedures, the Mining Board shall order such improper condition corrected when it is determined that the disposal method used pollutes utilized fresh water supplies, creates a hazard, or is injurious to life, health, or property.

Where any fluids are leaking into the freshwater or onto the surface through an unpermitted drill hole, the unpermitted drill hole shall be plugged by the current permittee of the lease where the unpermitted drill hole is located.

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(Source: Section repealed, new Section adopted at _____ Ill. Reg. _____, effective _____)

Section 240.880 Yearly Inspection of Pits--Revocation of Permits--Orders for Corrective Action and Other Disposal Spill Notification

- a) All pits for which permits have been issued shall be subject to a yearly inspection by the Mining Board. After ten (10) days written notice to the operator and after a hearing, the Mining Board may condemn any pit which does not properly impound salt water and other waste liquids, and

- 1) order revocation of the pit permit;
- 2) order the operators to take measures to correct the defective conditions of the pit, or
- 3) order the operator to dispose of such liquids and waste by some other means.

- b) Such orders of the Mining Board requiring the operator to take corrective measures or to dispose of liquids and waste by other means shall specify the period of time (no less than 10 days nor more than 90 days) the operator shall have to take corrective measures or to make alternate disposal. Such period of time shall be extended by the Mining Board when circumstances beyond the control of the operator effectively prevent the operator's compliance. The pit permit shall automatically be revoked unless the operator has complied with such orders by the expiration of said time period.

The following spills of crude oil or produced water (if not contained by containment dikes) shall be reported immediately to the Emergency Service and Disaster Agency's emergency response number and the Department's district office responsible for the county where the spill occurred:

- a) spills of crude oil in excess of one (1) barrel;
- b) spills of produced water in excess of ten (10) barrels; and
- c) spills, regardless of amount, which enter streams, rivers, ponds, lakes or other bodies of water.

(Source: Section repealed, new Section adopted at _____ Ill. Reg. _____, effective _____)

Section 240.890 Lease and Well Identification Crude Oil Spill Clean-Up

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Requirements

- a) To identify all producing leases--the owner or manager thereof shall cause a sign to be placed--where the principal lease road enters the lease and such sign shall show the name of the lease and the owner or manager thereof and the section, township and range.
- b) A legible numeral shall be attached--or painted on--pumping unit or jack of each well--or a legible sign placed near the well to identify the well number.
- a) All crude oil spills regardless of amount from wells, flowlines, tanks, pits or containment dikes shall be contained using earthen dikes, booms and other containment measures as soon as practicable to minimize the amount of area affected by the spill.
- b) Impounded free oil shall be picked up and put in lease storage tanks or removed from the site.
- c) Remaining oil on the land surface shall be removed using absorbent material, which shall be disposed in accordance with Section 240.950 of this Part.
- d) If a spill leaves the immediate lease area and enters a public road ditch, visible oil-contaminated soil shall be removed from the roadside ditch, spread over the area affected by the spill and incorporated in accordance with Section 240.950 of this Part.
- e) If a spill enters surface waters, the spill shall be contained with booms and/or underflow dams and removed as expeditiously as possible. If it is determined that burning the oil-affected area will prevent further contamination of the surface waters, an emergency burn permit shall be sought from the IEPA, in accordance with Section 240.950(c) of this Part.

(Source: Section repealed, new Section adopted at _____ Ill. Reg. _____, effective _____)

Section 240.895 Produced Water Spill Clean-Up Requirements

- a) All spills of produced water from wells, flowlines, pits, tanks or containment dikes shall be contained using earthen dikes and other containment measures as soon as practicable to minimize the amount of area affected by the spill.
- b) All impounded produced water shall be picked up and removed from the site for disposal into a Class II UIC well.

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- c) In determining other remedial cleanup action to be taken by the permittee, which may include flushing the area with fresh water, chemical treatment and diking the soil, the Department shall take into consideration:

- 1) the quantity and areal extent of the spill;
- 2) the chloride content of the spill material;
- 3) the nature of the soil;
- 4) the flow capacity of affected waterways; and
- 5) the proximity of domestic or livestock fresh water supplies.

(Source: Added at _____ Ill. Reg. _____, effective _____)

SUBPART I: LIQUID OIL FIELD WASTE AND SPILL RELATED
WASTE HANDLING AND DISPOSAL--BRINE-HAULING

Section 240.905 Introduction--(Repealed) Application for Permit to Operate a Liquid Oilfield Waste Transportation System and for Vehicle Permit

- a) No person shall operate a liquid oilfield waste transportation system, or a liquid oilfield waste transportation vehicle, without a permit from the Department.
- b) Application for permits under this Section shall be made on forms prescribed by the Department. The applications shall be executed under penalties of perjury, and accompanied by the non-refundable waste transportation system permit fee of \$100.00, the required bond under Subpart L, and the non-refundable vehicle permit fee of \$100.00 for each vehicle.
- c) If the application does not contain all of the required information or documents, the Department shall notify the applicant in writing. The notification shall specify the additional information or documents necessary to process the application, and shall advise the applicant that the application will be deemed denied unless the information or documents are submitted within sixty (60) days following the date of notification.
- d) The application shall include:
- 1) The name, address, and business and emergency telephone numbers of the proposed liquid oilfield waste hauler.
 - 2) The year, make, model, vehicle identification number and tank

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description and capacity of each vehicle to be operated in the system.

e) The application for a liquid oilfield waste transportation system permit or for a vehicle permit shall be signed as follows:

1) If the owner is an individual, the application shall be signed by the individual. If the owner is a partnership, the application shall be signed by a general partner. If the owner is a corporation, the application shall be signed by an officer of the corporation.

2) In lieu of the signature of the owner or such authorized person, the application may be signed by a person having a power of attorney to sign for such owner or authorized person, provided a certified copy of the power of attorney is on file with the Department or accompanies the application.

3) If the applicant is a corporation, the charter must authorize the corporation to engage in the permitted activity, and the corporation must be incorporated or authorized to do business in the State of Illinois.

(Source: Former Section recodified to 240.805, new Section added at Ill. Reg. _____, effective _____)

Section 240.910 Authority, Policy and Purpose Inspection of Vehicles

Pursuant to the authority contained in Sections 8c(A) through (I) of "An Act in relation to oil, gas, coal and other surface and underground resources and to repeal an Act herein named" (Ill. Rev. Stat. 1981, ch. 96-1/2, par. 5414.1) the following prescribed procedures shall apply for issuance of permits to oil field brine haulers; for the inspection of vehicles; and for proper hauling of oil field brine to approved disposal sites.

Upon receipt of an original or renewal application a Department Well Inspector will conduct a visual inspection of the liquid oil field waste hauling equipment including tanks and associated piping and valves to ensure that there is no leakage. The Department Well Inspector shall certify the results of the inspection on the permit application.

(Source: Section repealed, New Section adopted at Ill. Reg. _____, effective _____)

Section 240.920 Definitions Issuance of Permits

"Oil-Field Brine" means any and all water impregnated with salt which is produced with oil.

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"oil-Field Brine--Transportation System" means all trucks and other motor vehicles used to gather, handle or transport oil field brine from the point of any surface on site collection to any subsequent surface storage or any surface facility utilized for underground injection.

a) If the applicant satisfies requirements of this Subpart, the Department shall issue a permit to operate a liquid oilfield waste transportation system and a vehicle permit for each vehicle that has been inspected and found to be leakfree and in safe operating condition.

b) No permit under this Subpart shall be issued where a final administrative order of the Department is outstanding against the applicant or against a person or permittee who is an officer, director, partner or owner of more than a 5% interest of the applicant.

c) Permits to operate a liquid oilfield waste transportation system shall be valid for as long as the permittee maintains the bond required under Subpart L of this Part and otherwise complies with the provisions of this Subpart.

d) Vehicle permits shall be valid for two (2) years from the date of issuance and shall be renewed by making application to the Department, accompanied by the required fee, at least 30 days prior to expiration of the vehicle permit.

e) Liquid oilfield waste transportation system and vehicle permits are not transferable.

(Source: Section repealed, new Section adopted at Ill. Reg. _____, effective _____)

Section 240.925 Liquid Oilfield Waste Recordkeeping Requirements

a) Each liquid oilfield waste hauler shall maintain a record of liquid oilfield waste received and disposed of which shall include the lease or unit name, the date received, the amount per pick up, and the name and location of the Class II well or wells (if applicable), and the date when the waste is unloaded.

b) Records shall be maintained a minimum of three (3) years and shall be made available to the Department for inspection during normal business hours.

(Source: Added at Ill. Reg. _____, effective _____)

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Section 240.930 Oil-Field-Brine-Hauling-Permit Produced Water

No-person-shall-haul-or-otherwise-transport-any-oil-field-brine-within
limits-without-having-a-current-valid-oil-field-brine-hauling-permit
issued-under-these-requirements:

- a) All produced water collected for temporary storage shall be placed
in tanks or permitted pits in accordance with Subpart H of this
Part. Containment dikes around tanks shall not be used for storage
of produced water.
- b) Except as provided in subsection (c), all produced water shall be
transported by flowlines or a licensed liquid oilfield waste hauler
to a permitted Class II UIC well for disposal.
- c) Produced water shall not be disposed of into any river, stream,
lake, pond or onto the land surface unless an NPDES or surface
discharge application permit has been obtained from the Illinois
Environmental Protection Agency ("IEPA").

(Source: Section repealed, new Section adopted at Ill. Reg. _____,
effective _____)

Section 240.940 Applications-for-Brine-Hauling-Permit-Shall-include-the
Following: Crude Oil Bottom Sediments

- a) Name, address, telephone number and location of the vehicle owner
and operator applying for a permit.
- b) Give the number and types of vehicles and tanks to be used.
- c) An agreement by the vehicle owner and operator that:

1) Special oil field brine loading, hauling and unloading will be
conducted in compliance with all applicable state and federal
laws.

2) All vehicles and tanks used in oil field brine hauling will be
in good repair at all times when so employed.

3) All vehicles, tanks and associated piping, valving, etc., will
be constructed and maintained to prevent leakage or spillage.

d) If the information received for issuance of a permit in accordance
with the Act is incomplete, this supportive information must be
furnished before the permit will be processed.

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- a) Crude oil bottom sediments removed from tanks can be transported by
a permitted liquid oilfield waste hauler to a licensed special waste
landfill or a crude oil bottom sediment recycling facility; or,
- b) Crude oil bottom sediments removed from tanks can be used for lease
road oiling under the following conditions:

- 1) The permittee shall apply for and receive a lease road oiling
permit for each lease or unit from the Department on a form
prescribed by the Department prior to oiling any lease road.
- 2) Application for a lease road oiling permit shall include:
 - A) the location of the lease or unit;
 - B) the permittee's name and address;
 - C) the method to be used for application of the bottom
sediments;
 - D) a map showing the lease roads to be oiled and the location
of any surface waters on or immediately adjacent to the
lease or unit; and
 - E) written consent from the current surface owner or owners
allowing the bottom sediment application.

3) Upon approval, crude oil bottom sediment shall be applied to
lease roads in such a fashion as to avoid run-off during
application onto immediately adjacent land areas. Following
completion of the application, there shall be a uniform soil
and oil mixture on the road with all liquids incorporated into
the soil with no visible free standing oil.

4) Lease road oiling shall not be conducted when the ground is
frozen or during rainy weather and shall not be allowed in
areas subject to frequent flooding.

5) Crude oil bottom sediments used for lease road oiling shall
not have a produced water content of greater than 10% by
volume.

6) Lease road oiling permits shall be issued for each lease or
unit and shall be valid for as long as the lease or unit is
active and the provisions of this Section are complied with.

(Source: Section repealed, new Section adopted at Ill. Reg. _____,
effective _____)

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Section 240.950 Applications-for-Oil-Field--Brine-Hauling-Permits--Signatures and-Authorization Crude Oil Spill Waste Disposal

All-Oil-Field--Brine-Hauling-Permit-Applications-shall-be--signed-by-the-owner and-operator-of--the-vehicle--or-by--a-duty-authorized-person--having-power-of attorney--fired-with-the-Division-of-Oil-and-Gas.

a) Contaminated Soil

The soil in the area affected by a spill shall be landspread and incorporated to a depth sufficient to create a soil and crude oil mixture which is less than 1% hydrocarbon by weight and with a pH between 6-10. If the pH of soil/oil mixture is less than 6, sufficient lime shall be incorporated to increase pH above 6.

b) Absorbant Material and Other Spill-Related Oily Waste1) Off-site disposal

All absorbant materials and other oily waste in excess of 500 cubic feet shall be disposed of at a permitted non-hazardous special waste land fill. The permittee shall apply to the IEPA Emergency Response Unit during normal business hours for an emergency authorization to dispose of the waste. The operator shall report the incident number, the estimated volume in cubic feet and such other information as IEPA may require. Off site transportation of the waste must be by a licensed special waste hauler and accompanied by a completed waste manifest unless otherwise authorized by IEPA.

2) On-site disposal

A) On site disposal of absorbant material and other oily waste is permitted if approved by the landowner in writing and involves only wastes generated at the site.

B) Burial location shall be reported to the Department on a form specified by the Department and IEPA within thirty (30) days of commencement of the disposal operation.

C) Only waste amounts less than five hundred (500) cubic feet are permitted for on-site disposal.

D) Wastes shall not be buried in an area in which ground water accumulates or which is not a tight homogeneous clay or which intersects fractured bedrock.

c) Emergency Burning

1) Open burning of spilled crude oil and/or absorbant material is permitted when imminent weather conditions threaten to further contaminate surface waters or immediate collection for disposal is impractical.

2) Burning shall only be permitted when conditions will not cause the burn to affect nearby residences or the visibility on nearby roads.

3) Approval must be received from IEPA prior to the emergency burn.

(Source: Section repealed, new Section adopted at ____ Ill. Reg. ____, effective ____)

Section 240.960 Oil Field Brine Hauling Permit Conditions (Repealed)

Permits will be issued in accordance with the provisions contained in the Act and these Rules.

(Source: Repealed at ____ Ill. Reg. ____, effective ____)

Section 240.970 Inspection of Vehicles (Repealed)

Upon receipt of an application by this Agency the Well Inspector will conduct a visual inspection of the brine hauling equipment which will include but not be limited to tanks and associated piping, valves, and construction and maintenance to ensure that there is no leakage. Upon receipt of a recommendation for approval from the Well Inspector certifying that the equipment meets minimum standards for hauling brine the permit application will be processed for issuance of the permit.

(Source: Repealed at ____ Ill. Reg. ____, effective ____)

Section 240.980 Transfer of Permits (Repealed)

No Oil Field Brine Hauling Permit is transferable from one person to another.

(Source: Repealed at ____ Ill. Reg. ____, effective ____)

Section 240.985 Revocation of Oil Field Brine Hauling Permit (Repealed)

Violation of any oil field brine hauling permit conditions or failure to comply with any provisions of the Act or with any regulations shall be grounds for sanctions as provided in the Act, including revocation of the permit as therein provided.

(Source: Repealed at ____ Ill. Reg. ____, effective ____)

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Section 240.990 Records and Reporting Requirements (Repealed)

~~Any person who engages, employs, or contracts with any person to remove oil field brine from his lease shall maintain a detailed record of all such brine removal on the form furnished by the Division of Oil and Gas.~~

(Source: Repealed at ___ Ill. Reg. ___, effective ___)

SUBPART K: PLUGGING OF WELLS

Section 240.1181 Lease Restoration Requirements

Within thirty (30) days after the last well on a lease has been plugged, all excavations and pits shall be filled and leveled. Subject to an existing right of way, tank batteries and other production equipment, rock and concrete pads, general oilfield waste and equipment debris, flow lines at or above the surface, and electric power lines and poles extending on or above the surface, shall be removed. Containment dikes shall be removed if constructed with other than soil and leveled.

(Source: Added at ___ Ill. Reg. ___, effective ___)

SUBPART N: TRANSFER OF OWNERSHIP

Section 240.1400 Definitions

As used in this Subpart:

a) "Current Permittee" means the individual or entity required to hold the permit or to whom the permit has been issued who is the assignor, transferor (whether voluntary or involuntary) or seller of the well or wells.

b) "New Permittee" means the individual or entity acquiring the well or wells and who is required, after the transfer, to hold the permit.

(Source: Amended at ___ Ill. Reg. ___, effective ___)

Section 240.1410 Applicability

a) The provisions of this Subpart apply to all assignments, transfers (whether voluntary or involuntary) and sales of the interest of the individual or entity required to hold and to whom the permit is issued, including:

1) a change of ownership through assignment, voluntary release,

involuntary termination of lease rights by court order, new base lease, sale, gift, devise or other transfer;

2) a change in the designation of the operator or manager under an operating or other similar agreement, or pursuant to the action of the owners in interest; and

3) the appointment, by a court of competent jurisdiction, of a trustee or a receiver to exercise custody and control over the well or wells.

b) The provisions of this Subpart shall not apply to the assignment, transfer or sale of royalty, overriding royalty or fractional working interests not affecting the rights or responsibilities of the permittee.

c) "New base lease", as used in this Subpart, refers to a lease executed by the mineral owner and new permittee for a tract of land containing production and/or injection wells previously operated pursuant to a lease held by the current permittee.

(Source: Amended at ___ Ill. Reg. ___, effective ___)

Section 240.1420 When Notification to be Made

Notification of the assignment, transfer or sale of any well required to be permitted under the Act shall be made within 30 days after the effective date of the assignment, transfer or sale. New permittees that acquire the right to operate wells pursuant to either a voluntary release, involuntary termination of lease rights by court order or new base lease shall apply for and receive a permit transfer from the Department prior to operating such wells.

(Source: Amended at ___ Ill. Reg. ___, effective ___)

Section 240.1430 Responsibilities of Current Permittee

The current permittee shall notify the Department of the assignment, transfer or sale, on a form prescribed by the Department unless the transfer was due to an involuntary termination of lease rights by court order. The new permittee shall notify the Department of an involuntary well transfer. A separate form shall be completed for each lease, well, or other unit assigned, transferred or sold. The notification shall be signed, under penalty of perjury, by the current permittee and by the new permittee, or their authorized representatives, and shall include:

a) the names and addresses of the current permittee and the new permittee;

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- b) the effective date of assignment, transfer or sale;
- c) copies of the lease assignment, voluntary release, court order involuntarily terminating a lease, or other documents evidencing the assignment, transfer or sale to the new permittee of the right to drill and operate the well or wells on the lands in question;
- d) the name, location, and permit number of all wells on the lease or other unit assigned, transferred or sold for which a permit has been issued; and
- e) the location of any wells on the lease or other unit assigned, transferred or sold known to the current permittee for which no permit has previously been issued.

(Source: Amended at Ill. Reg. _____, effective _____)

Section 240.1450 Authority of Persons Signing Notification

- a) The notification shall be signed by the current permittee and the new permittee, or by individuals authorized to sign for them.
- b) If the current permittee or new permittee is an individual, the notification shall be signed by the individual. If the current permittee or new permittee is a partnership, the notification shall be signed by a general partner. If the current permittee or new permittee is a corporation, the notification shall be signed by an officer of the corporation.

- c) In lieu of the signatures of the current and new permittees or such authorized persons, the notification may be signed by a person having a power of attorney to sign for a permittee or authorized person, provided a certified copy of the power of attorney is on file with the Department or accompanies the notification.

- d) The new permittee may also submit a court order or other documents evidencing his ownership of the lease or unit to be transferred in the event that the current permittee cannot be located or refuses to sign the notification of transfer form.

- e) The current permittee may also submit a court order or other documents the assignment or other conveyance signed by both parties evidencing his transfer of the ownership of the lease or unit in the event the new permittee refuses to sign the notification of transfer form.

(Source: Amended at Ill. Reg. _____, effective _____)

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Section 240.1460 Other Conditions for and Effect of Transfer

- a) No permit shall be transferred to a new permittee:

- 1) who is delinquent in the payment of fees assessed under Section 19.7 of the Act;
- 2) on account of whom any amounts have been obligated from the Plugging and Restoration Fund that have not been reimbursed; or
- 3) against whom the Department has issued a final administrative decision that has not been abated or satisfied.

- b) When the requirements of this Subpart have been satisfied, and subject to subsections (d) and (e) below, the Department shall transfer, and, where applicable, issue permits for all wells on the lease or other unit assigned, transferred or sold to the new permittee who shall become responsible for all regulatory requirements relative to all wells on the lease or other unit. The permit transfer decisions based upon the manner in which the new permittee came into possession of the wells sought to be transferred. Specifically:

- 1) the new permittee is the mineral owner:

if the new permittee owns the mineral rights to the tract of land on which production or injection wells subject to a prior lease are located and came into possession of the right to operate such wells by virtue of a voluntary release or involuntary termination of lease rights by court order, this new permittee shall become responsible for all regulatory requirements relative to:

- A) each production well identified in the new permittee's permit transfer application;
- B) all wells in existence within the prior lease if the new permittee seeks to operate any of the injection wells located within this leasehold, convert any production well to an injection well or drill a new injection well; and
- C) all pits, tank batteries and other surface production facilities in existence within the lease boundaries.

- 2) the new permittee is a new base lessee:

if the new permittee came into possession of the right to operate wells by virtue of a new base lease, this new permittee

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shall become responsible for all regulatory requirements relative to the wells identified within the lease document except that:

A) if the new base lease is silent as to the extent of the top lessee's liability, this new permittee shall become responsible for all regulatory requirements relative to all wells, pits and tank batteries in existence within the tract of land being leased; and

B) if the new base lessee seeks to operate any injection wells located within the tract of land being leased, convert any production well to an injection well or drill a new injection well within this area, this new permittee shall become responsible for all regulatory requirements relative to all wells, pits and tank batteries in existence within such tract of land.

3) the new permittee is an assignee:

if the new permittee came into possession of the right to operate wells by virtue of a lease assignment, this new permittee shall become responsible for all regulatory requirements relative to all wells, pits and tank batteries in existence within the lease hold being assigned.

c) If any well, or any lease or other unit associated with the well, is in violation of the Act or rules at the time of the transfer to the new permittee, the transfer shall be conditioned upon the abatement of the violation within the time specified by the Department.

d) The transfer of a permit pursuant to this Subpart shall not affect the rights of the Department, or any obligation or duty of the current permittee arising under the Act and rules. Any cause of action accruing or any action or proceeding had or commenced, whether administrative, civil or criminal, may be instituted or continued without regard to the transfer of the permit in accordance with this Subpart.

e) A current or new permittee may request a hearing to challenge a permit transfer if such hearing is requested in writing within fifteen (15) days after the permit transfer is mailed. If no hearing is requested in this time period, the permit transfer shall be a final administrative decision of the Department. If a hearing is requested by the current or new permittee, the hearing shall be held within fifteen (15) days of the receipt of the request for hearing.

f) At the permit transfer hearing, the Department shall present evidence

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in support of this determination under subsection (b) above. Both the current and the new permittee may present evidence contesting the Department's determination under subsection (b) above. The hearing officer may administer oaths and affirmations, subpoena witnesses and written or printed materials, compel attendance of witnesses or production of those materials, compel discovery, and take evidence.

g) Within thirty (30) days after the close of the record for the permit transfer hearing, the hearing officer shall issue recommended findings of fact, recommended conclusions of law and recommendations as to the disposition of the case.

(Source: Amended at Ill. Reg. _____, effective _____)

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- 1) Heading of the Part: RADIATION INSPECTORS AND INSPECTIONS
- 2) Code Citation: 32 Ill. Adm. Code 410
- 3)

<u>Section Number:</u>	<u>Proposed Action:</u>
410.10	Amendment
410.20	Amendment
410.30	Amendment
410.35	New Section
410.40	Amendment
410.50	Amendment
410.60	Amendment
410.70	Repealed
ILLUSTRATION A	Repealed
ILLUSTRATION B	Repealed
- 4) Statutory Authority: Implementing and authorized by Sections 5 and 25 of the Radiation Protection Act of 1990 (Ill. Rev. Stat. 1991, ch. 111, par. 210-5 and 210-25).
- 5) A Complete Description of the Subjects and Issues Involved: The Department is amending this Part to: (1) add standards and procedures that will be applied by the Department when it approves or withdraws its approval of individuals as qualified nondepartmental inspectors; and (2) change the Agency Note following Section 410.60(a)(2) to reflect increases in inspection fees and to add penalties for late payment on nonpayment of inspection fees owed to the Department. All of these changes are authorized by P.A. 87-604 and P.A. 87-787. The Department is also proposing changes to simplify the inspection schedule and to modify the requirements for being approved as a nondepartment inspector. Illustrations A and B are being repealed.
- 6) Will this proposed amendment replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed amendment contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No

- 10) Statement of Statewide Policy Objectives: The requirements imposed by the proposed rulemaking are not expected to require local governments to establish, expand, or modify their activities in such a way as to necessitate additional expenditures from local revenues.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on this proposed rulemaking may be submitted in writing for a period of 45 days following publication of this notice. The Department will consider fully all written comments on this proposed rulemaking submitted during the 45 day comment period. Comments should be submitted to:

Betsy Salus
Senior Staff Attorney
Department of Nuclear Safety
1035 Outer Park Drive
Springfield, Illinois 62704
(217) 785-9881 (voice)
(217) 785-9900 (TDD)

12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs:
- B) Types of small businesses affected: The Department believes that these amendments impose no direct impact on any small businesses as defined by Section 3.10 of the Administrative Procedure Act. This amendment does, however, implement fee requirements imposed by recent amendments to the Radiation Protection Act.
- C) Reporting, bookkeeping or other procedures required for compliance: In order to comply with Section 410.50, inspectors would have to report inspection results to the Department and maintain records of inspection data for review by the Department.
- D) Types of professional skills necessary for compliance: Section 410.20 sets forth the education and experience requirements that must be met by individuals seeking approval as qualified nondepartment inspectors.

The full text of the Proposed Amendment begins on the next page:

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TITLE 32: ENERGY
CHAPTER II: DEPARTMENT OF NUCLEAR SAFETY
SUBCHAPTER b: RADIATION PROTECTION

PART 410
RADIATION INSPECTORS AND INSPECTIONS

Section 410.10	Policy and Scope
410.20	Radiation Inspectors Education/Experience and Instrumentation Requirements
410.30	Approval of Application and Application/Registration Fees
410.35	Removal of Approval as Qualified Nondepartment Inspector
410.40	Radiation Installations and Classifications
410.50	Inspection Procedures
410.60	Choice of Type of Inspector, Inspection Fees and Inspection Schedule
410.70	Separate Installation
410.80	Change in Operator
ILLUSTRATION A	NEW FACILITY FILING-ANNIVERSARY DATE (CLASS C FACILITY USED- AS AN EXAMPLE) (Repealed)
ILLUSTRATION B	EXISTING FACILITY FILING-ANNIVERSARY DATE (CLASS B FACILITY USED AS AN EXAMPLE) (Repealed)

AUTHORITY: Implementing and authorized by Sections 4 and 9-9 5 and 25 of the Radiation Protection Act of 1990 (Ill. Rev. Stat. 1989 1991, ch. 111k, pars. 214 and 218-9 210-5 and 210-25).

SOURCE: Adopted at 8 Ill. Reg. 23209, effective November 19, 1984, amended at 9 Ill. Reg. 17821, effective November 5, 1985; amended at 10 Ill. Reg. 13265, effective July 29, 1986; amended at 13 Ill. Reg. 342, effective January 30, 1989; amended at 14 Ill. Reg. 13638, effective August 13, 1990; amended at 111. Reg. _____, effective _____, 1992.

Section 410.10 Policy and Scope

- a) The Radiation Protection Advisory Council shall recommend criteria to the Department of Nuclear Safety (Department) for education, experience and instrumentation standards for inspectors of radiation machines in radiation installations. This Part implements the provisions of the Radiation Protection Act of 1990 (the Act) regarding the inspection of radiation machines by qualified nondepartment inspectors. Specifically this Part:

- 1) Establishes procedures for inspections of radiation machines;

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- 2) Establishes the standards and procedures that the Department will apply for approving individuals as qualified nondepartment inspectors of radiation machines;

- 3) Establishes standards and procedures to be applied by the Department when withdrawing its approval of a qualified nondepartment inspector; and

- 4) Establishes the Department's procedures for reviewing the inspection procedures followed by qualified nondepartment inspectors and the inspection reports prepared by nondepartment inspectors.

b) The Department shall:

- 1) Establish radiation machine inspection standards for the protection of the public health;

- 2) Maintain and provide, on request, a list of persons approved as qualified nondepartment inspectors of radiation machines;

- 3) Review the findings and inspection procedures of qualified nondepartment inspectors.

This Part shall apply to any person who operates a radiation installation in Illinois. This Part shall also apply to any person, other than a Departmental Inspector, who performs inspections or tests of radiation machines required by Section 25 of the Radiation Protection Act.

(Source: Amended at 111. Reg. _____, effective _____)

Section 410.20 Radiation Inspectors Education/Experience and Instrumentation Requirements

- a) ~~An individual is considered qualified to be an inspector of radiation machines if his or her credentials satisfy the criteria which have been recommended by the Radiation Protection Advisory Council (See Section 8.9 of the Radiation Protection Act (the Act) Ill. Rev. Stat. 1987, ch. 111k, par. 218-9) and approved by the Department as set forth in this Section.~~ Inspections and testing of radiation machines shall be conducted by designated Department personnel or by qualified nondepartment inspectors that are approved by the Department in accordance with Section 410.30.

- b) Inspections and testing of radiation machines shall be conducted

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by designated Department personnel or by other qualified nondepartment inspectors. Approval of the nondepartment inspectors shall be based upon meeting In addition to satisfying the other requirements for approval set forth in this Part, an individual seeking approval as a qualified nondepartment inspector shall meet the education/certification and experience in clinical practice requirements indicated in any one of the criteria set forth below.

Education and/or Certification

Experience

- 1) Certification by the American Board of Radiology, American Board of Medical Physics, or Canadian College of Medical Physics, in radiological physics or diagnostic radiological physics

and

experience included in certification.

- 2) Certification by the American Board of Health Physics

6 months of x-ray survey experience included in certification.

- 3) Doctorate (Ph.D.) degree or Master's (MS/MA) degree in health physics, medical radiological physics or physics

and 1 year 6 months of applied x-ray radiation protection experience of which 6 months must be x-ray experience.

- 4) Master's (MS/MA) degree and in health physics, medical radiological physics or physics

1 year of applied x-ray radiation protection experience.

- 54) Bachelor's (BS/BA) degree in health physics, medical radiological physics or physics

and 2 years of applied x-ray radiation protection experience of which 6 months must be x-ray survey experience.

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- 65) Master's (MS/MA) or Bachelor's (BS/BA) degree in a physical or life science or in mathematics

and 3 years of applied x-ray radiation protection experience of which 1 year must be x-ray survey experience.

- 76) Registered Radiologic Technologist

and 5 years of applied x-ray radiation protection experience of which 3 years must be x-ray survey experience.

- c) Upon initial application to the Department, and as a condition for approval as a qualified inspector, an applicant shall submit verification of access to instruments which will enable the individual to perform inspections and tests in accordance with Department standards.

- d) Individuals approved by the Department as qualified nondepartment inspectors prior to the effective date of this Part will continue to remain approved as qualified nondepartment inspectors unless approval is removed for cause pursuant to Section 410.35.

(Source: Amended at Ill. Reg. ____, effective ____)

Section 410.30 Approval of Application and Application/Registration Fees

- a) An applicant for approval by the Department as a qualified nondepartment inspector shall submit a complete and legible application on a form prescribed and furnished by the Department. The Department shall assess each applicant an application fee, as prescribed in Section 8-9 25(e) of the Act, which will serve as a registration fee for the remainder of the calendar year. The application fee is non-refundable.

- b) The Department shall provide written notification to the applicant concerning the status of the application within 4 weeks after receipt of the application. If approval is granted, the applicant shall receive a "Notice of Approval" and the individual's name and address shall be entered in the record of persons approved as qualified nondepartment inspectors of radiation machines.

- c) The Department shall assess all qualified nondepartment inspectors an annual registration fee, as prescribed in Section 8-9 25(e) of the Act, payable on January 1 of each year. The registration fee is non-refundable. Failure of the inspector to remit the

appropriate registration fee by January 1, will cause the Department to remove the individual's name from the record specified in subsection (b) above. If an individual's name is removed from the record of qualified nondepartment inspectors, the Department will not accept radiation machine inspection reports completed on or after the date the inspector's name was removed from the record.

- d) ~~If an individual's name is removed from the record of qualified nondepartment inspectors, he or she may reapply for approval by the Department in accordance with the requirements of subsections (a) and (b).~~

(Source: Amended at ___ Ill. Reg. ___, effective _____)

Section 410.35 Removal of Approval as Qualified Nondepartment Inspector

- a) The Department may withdraw its approval and remove an individual from the record of qualified nondepartment inspectors for any one or a combination of the following causes:

- 1) Knowingly causing a material misstatement or misrepresentation to be made in the application for approval as a qualified nondepartment inspector if such misstatement or misrepresentation would impair the Department's ability to assess and evaluate the applicant's qualifications for approval under this Part;
- 2) Wilfully evading the Department's regulations, or wilfully aiding another person in evading such regulations;
- 3) Exhibiting significant or repeated incompetence in the performance of inspections of radiation machines;
- 4) Knowingly submitting to the Department an inspection report that contains false or misleading information;
- 5) Submitting to the Department under his/her inspector identification number and signature a report for an inspection that he or she did not personally perform; or
- 6) Failing to pay the registration fee prescribed in Section 25(e) of the Act.

- b) If, based upon any of the above grounds, the Department determines that action is necessary to withdraw approval of a qualified

nondepartment inspector and to remove the individual's name from the record of qualified nondepartment inspectors, the Department shall notify the individual and shall provide an opportunity for a hearing in accordance with 32 Ill. Adm. Code 200.60. An opportunity for a hearing shall be provided before the Department withdraws its approval of a nondepartment inspector or removes the name of an individual from the record of approved qualified nondepartment inspectors.

- c) If an individual's name has been removed from the record of qualified nondepartment inspectors due to nonpayment of the fee prescribed in Section 25 of the Act, that individual's name shall be reinstated automatically to the record of qualified nondepartment inspectors upon receipt by the Department of the prescribed fee.

- d) An individual whose name has been removed from the record of qualified nondepartment inspectors may seek reinstatement to the record by filing a petition for reinstatement with the Department which complies with the requirements of 32 Ill. Adm. Code 200.40. Such petition may only be accepted for consideration by the Department one year or more after the individual's name has been removed from the record of qualified nondepartment inspectors. The individual shall be afforded a hearing in accordance with 32 Ill. Adm. Code 200.

(Source: Added at ___ Ill. Reg. ___, effective _____)

Section 410.40 Radiation Installations and Classifications

Radiation installations shall be classified based on the type of radiation machines located within the installation as follows:

- a) Class A - shall include all radiation installations utilizing radiation machines located in dental offices and clinics and used solely for dental diagnosis, or located in veterinary offices and used solely for diagnosis, and all installations using commercially manufactured cabinet radiographic/fluoroscopic radiation machines and electron microscopes. (See Section 9-9 25(f) of the Act.)
- b) Class B - shall include all radiation installations utilizing radiation machines, other than machines used for performing mammography, located in offices or clinics of persons licensed under the "Medical Practice Act of 1987" Medical Practice Act of 1987 (Ill. Rev. Stat. 1987 1991, ch. 111, par. 4400-1 et seq.) or

under the "Podiatric Medical Practice Act of 1987" or under the Podiatric Medical Practice Act of 1987 (Ill. Rev. Stat. 1987 1991, ch. 111, par. 4801 et seq.) and used solely for diagnosis or therapy and all installations using spectroscopy radiation machines, non-~~commercially~~ noncommercially manufactured cabinet radiographic/fluoroscopic radiation machines, portable radiographic/fluoroscopic radiation machines units, non-cabinet baggage/package fluoroscopic radiation machines and electronic beam welders. (See Section 8-9 25(f) of the Act.)

c) Class C - shall include all ~~radiation installations utilizing~~ radiation machines which are not classified as Class A or Class B ~~installations~~. Class C shall include but not be limited to radiation machines located in hospitals and educational institutions, all radiation machines used for performing mammography procedures, and all installations using diffraction radiation machines, open radiography radiation machines, closed radiographic/fluoroscopic radiation machines and radiation machines used as gauges. Test booths, tubs, baths or rooms used by manufacturing, assembly or repair facilities for testing radiation machines shall be categorized as Class C radiation installations. (See Section 8-9 25(f) of the Act.)

d) Radiation installations utilizing radiation machines that are in different classes (see subsections (a), (b), and (c) above) will be assigned a classification based upon the machine(s) requiring the most frequent inspecting and testing. (See Section 410.60(d).)

(Source: Amended at ___ Ill. Reg. ___, effective _____)

Section 410.50 Inspection Procedures

a) ~~It will be the responsibility of the Departmental inspector and the~~ The qualified nondepartment inspector ~~to shall~~ :

- 1) Establish ~~that whether~~ radiation machines are being maintained and operated in accordance with standards established by the Department to protect the public health as set forth in 32 Ill. Adm. Code 310, 320, 340, 350, 360, 380, 390, 400, and 401; and
- 2) Consult with the operator to ascertain the identity of individuals who use the equipment to administer ionizing radiation to human beings (See 32 Ill. Adm. Code 360.30(a)(4) and 360.30(i)) and to verify that those named

individuals are licensed in accordance with state law, are accredited by the Department, or are exempt from such requirements in accordance with 32 Ill. Adm. Code 401.30.

b) ~~It will be the responsibility of the~~ The qualified nondepartment inspector ~~to shall~~ provide timely, accurate, and thorough inspection reports and certify all survey findings on appropriate Department radiation machine inspection forms. A survey instruction manual will be provided to each inspector by the Department for the completion of this requirement.

c) ~~It will be the responsibility of the~~ The qualified nondepartment inspector ~~to shall~~ perform radiation measurements with instruments which are sufficiently sensitive to determine compliance with the standards established by the Department under this section. These instruments shall be calibrated with devices which have no more than a three step (tertiary) calibration, traceable to the National Bureau of Standards and Technology.

d) ~~The qualified nondepartment inspector shall certify on each radiation inspection report that he prepares for submission to the Department that he personally performed the inspection and that the inspection was performed in accordance with the standards established by the Department.~~ (See Section 25(b) of the Act.)

de) ~~It will be the responsibility of the~~ The qualified nondepartment inspector ~~to shall~~ certify on appropriate Department radiation machine inspection forms for each inspection that his/her instruments have been properly calibrated at intervals not to exceed 12 months prior to each inspection.

ef) ~~It will be the responsibility of the~~ The qualified nondepartment inspector ~~to shall~~ maintain, for a period of at least 3 one inspection cycles cycle (See Section 410.60(d)), a copy of all inspection data gathered during inspections of radiation machines conducted in accordance with subsections (a)(1) and (a)(2) above.

fg) ~~It will be the responsibility of each~~ Each operator of a radiation installation shall, ~~upon~~ within 30 days of completion of the inspection and testing of the each radiation machine(s) by a qualified nondepartment inspector, ~~to forward a clear, legible copy of the inspection report along with the appropriate filing fee to the Department.~~ (See Section 410.60(a)(3).)

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h) In the event the Department has reason to question the accuracy or thoroughness of a radiation machine inspection report due to the submission of incomplete or contradictory information or ~~wherein it is not possible~~ if the Department is not able to verify compliance with the Department's standards for operating such equipment in accordance with 32 Ill. Adm. Code 310, 320, 340, 350, 360, 380, 390, 400, and 401, the report will be returned to the operator for completion, correction or for reinspection as appropriate. Forms returned to the operator for corrections, ~~or~~ completion or for reinspection must be returned to the Department within 30 days of receipt.

gi) Within 30 days of receipt of a completed radiation machine inspection report, the Department will provide results to the operator regarding the inspector's survey.

h) Reviews of qualified nondepartment inspectors' survey findings and inspection procedures will be conducted by the Department. Items and procedures considered as part of such reviews shall include, but need not be limited to, one or more of the following:

- 1) The type of instruments used by the inspector;
- 2) The procedures for the use of these instruments to determine compliance with Department standards;
- 3) The thoroughness and accuracy of inspection reports;
- 4) Use of other documents and investigative procedures to assure compliance with Department standards listed in subsection (a) above; ~~and~~
- 5) Reinspection and testing by the Department of the radiation machines, records, and associated operating procedures of a radiation installation that were inspected by a qualified nondepartment inspector; and
- 6) Visual observation of the nondepartment inspector during the performance of an inspection.

(Source: Amended at ___ Ill. Reg. ___, effective _____)

Section 410.60 Choice of Type of Inspector, Inspection Fees and Inspection Schedule

- a) Operators of radiation installations shall assure that the

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installations, including all radiation machines located therein, are registered with the Department in accordance with the provisions of 32 Ill. Adm. Code 320 and are inspected and tested in accordance with the requirements of this Part.

- 1) Operators may elect to have their radiation machines and associated operating procedures inspected and tested by either a Departmental inspector or by a qualified nondepartment inspector whose name is included in the Department's record of persons approved as qualified inspectors of radiation machines.

- 2) Fees for Department inspection and testing will be as prescribed in the Act.

AGENCY NOTE: *The fee for a Department inspection and testing will be \$45 \$55 per radiation machine located in dental offices and clinics and used solely for dental diagnosis, in veterinary offices and used solely for diagnosis, or in offices and clinics of persons licensed under the Podiatric Medical Practice Act of 1987 (Ill. Rev. Stat. 1989 1991, ch. 111, par. 4801 et seq.), and used solely for diagnosis or therapy. The fee for inspection and testing in all other cases shall be \$65 per radiation machine before January 1, 1990, and \$80.00 per radiation machine on or after January 1, 1990. The Department will bill the operator for the appropriate fee after the machine has been inspected and tested. (See Section 8-9 25(a) of the Act.)*

- A) Inspection fees assessed under this Section shall be due within 60 days of billing. (See Section 25(a) of the Act.)

- B) After 60 days, the Department shall assess the operator of the installation a late payment penalty for each machine at the installation for which an inspection fee is still outstanding, as prescribed in Section 25(a) of the Act. (See Section 25(a) of the Act.)

AGENCY NOTE: *The late payment penalty for inspection fees paid more than 60 days after billing is \$25 per month for each machine at the installation for which an inspection fee is still outstanding. (See Section 25(a) of the Act.)*

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- c) *If the fee for inspection and testing is not paid within 180 days of the initial billing, the Department may order the operator of the installation to cease use of the machines for which the fee is outstanding or take other appropriate enforcement action as provided in Section 36 of the Act. (See Section 25(a) of the Act.)*

- 3) If the operator elects to have a qualified nondepartment inspector inspect and test the radiation equipment, the Department will assess a filing fee per radiation machine, as prescribed in Section 8-9 25(b) of the Act. The filing fee is payable, by the operator, to the Department upon submission of the qualified nondepartment inspector's radiation inspection report. (See Section 25(b) of the Act.)

AGENCY NOTE: The filing fee for radiation machine inspection and testing results is \$5.00 per machine through December 31, 1989; \$25.00 per machine. (See Section 8-9 25(b) of the Act.)

- b) Operators of radiation installations shall assure that all radiation machines located in that installation are maintained and operated in accordance with standards established by the Department to protect the public health and safety as set forth in 32 Ill. Adm. Code 310, 320, 340, 350, 360, 380, 390, 400, and 401. Operators shall also assure that all persons who use a radiation machine to administer ionizing radiation to human beings are licensed in accordance with the requirements of 32 Ill. Adm. Code 360.10 or are accredited by the Department or exempt from such requirements in accordance with 32 Ill. Adm. Code 401.30.

- c) Inspection Report Filing Anniversary Date (See Illustrations A and B for Anniversary Date Explanations)

- 1) Each operator of a radiation installation shall file an application for initial inspection and testing to be performed by either a Departmental inspector or a qualified nondepartment inspector no later than 30 days after the initial installation of a radiation machine(s) (See Section 8-9 25(c) of the Act) or 30 days after the effective date of this Part, whichever is later. The radiation machine(s) shall be inspected and tested in accordance with Section 410.50(a) and radiation inspection report(s) filed with the Department within 6 months of the date of initial

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~~installation or the effective date of this Part, whichever is later.~~ The inspection and testing end date will establish the operator's filing anniversary date for filing subsequent radiation machine inspection reports. All future inspection and testing of the operator's radiation machine(s) must be performed and the radiation inspection report filed either on the filing anniversary date or within the 5 month period immediately preceding the operator's filing anniversary date. Submission of inspection reports within the 5 month period immediately preceding the operator's filing anniversary date will not change the filing anniversary date for subsequent inspection reports.

- 2) ~~For operators of radiation installations who have filed radiation inspection reports with the Department previous to the effective date of this Part, the filing anniversary date will be the end date of the last inspection and testing period as indicated on the most recent inspection report filed with the Department. All future inspection(s) and testing(s) of the operator's radiation machine(s) must be completed and the report filed either on the filing anniversary date or within the 5 month period immediately preceding the operator's filing anniversary date.~~

- 32) If any radiation machine(s) is installed, relocated (i.e., stationary equipment that has been moved) or reactivated within 7 months prior to the operator's inspection report filing anniversary date, and if the machine(s) is inspected during the 7 month period, the radiation machine(s) does not have to be reinspected within the 5 month period prescribed in subsection (c)(1) above. The radiation inspection report(s) shall be filed with the Department on or before the operator's inspection report filing anniversary date.

- 43) If any radiation machine(s) totally replaces the operator's radiation machine inventory, the operator's inspection report filing anniversary date will be changed to the end date of the inspection and testing of the radiation machine(s). In accordance with subsection (c)(1) above, inspection reports shall be filed within 6 months from the date of installation of the replacement machine(s).

- d) An operator shall file an application for subsequent inspections to be performed by either a Departmental or qualified nondepartment inspector in accordance with the following schedule:

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- 1) Operators of Class A installations shall file an application for inspection each 3 5 years.
- 2) Operators of Class B installations shall file an application for inspection each 2 years.
- 3) Operators of Class C installations shall file an application for inspection annually.
- 4) Applications for inspections of existing radiation machines must be filed with the Department within 9 6 months of the operator's inspection report filing anniversary date.

- e) ~~Within~~ Operators of radiation installations shall notify the Department within 30 days of the installation of new, used, relocated or reactivated radiation machines. ~~the operator shall file an application for an inspection by either a Departmental inspector or a qualified nondepartment inspector.~~ Inspection and testing of the radiation machine(s) shall be performed in accordance with subsection (c) above and radiation inspection report(s) filed with the Department within 6 months of the date of installation/activation of the system(s). ~~The selection of Departmental or qualified nondepartment inspector which was made pursuant to subsection (d) above, shall also apply to inspections of equipment required by this subsection, unless the Department is notified that a change is requested.~~ This Section applies to the relocation or reactivation of a radiation machine(s) that previously had been stored or rendered mechanically or electrically inoperable by the operator.

(Source: Amended at ___ Ill. Reg. ___, effective _____)

Section 410.70 Separate Installation

Radiation ~~installations~~ installations shall be defined as any location or facility where radiation machines are used. For purposes of registration and inspection frequency, the Department shall interpret "radiation installation" as follows:

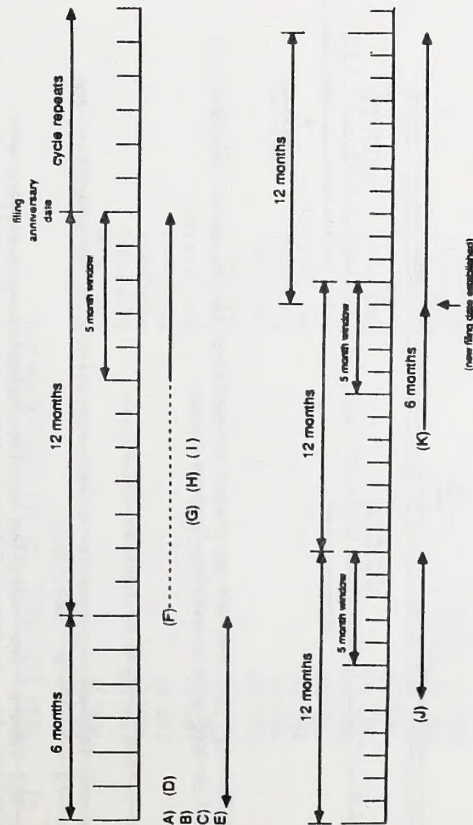
- a) A facility where one or more radiation machines which ~~is~~ are utilized by a given Class as defined in Section 410.40, ~~is~~ are operated by the same person and ~~is~~ are located either in a single building or in a group of buildings which are contiguous to one another will be treated as a single radiation installation, except as provided in subsection (b) below.

- b) If the Department is treating radiation machines which are located in different buildings as being part of a single radiation installation in accordance with subsection (a) above and the operator seeks to have the facilities treated as separate installations, the Department will consider the facilities as separate radiation installations upon receipt of a written request of the operator.

(Source: Amended at ___ Ill. Reg. ___, effective _____)

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Section 410. ILLUSTRATION A NEW FACILITY FILING ANNIVERSARY DATE (CLASS C FACILITY USED AS AN EXAMPLE) (Repealed)



AGENCY NOTE: Letters set off by closed parenthesis in the above illustration correspond to the arabic outline letters below.

- A) An operator of a "Class C" facility installs a radiation machine. (See Section 410.40(c).)
- B) Prior to operation, the operator must register the radiation machine with the Department. (See 32 Ill. Adm. Code 320.10.)
- C) The Department will forward an application for inspection to the operator upon notification of the installation of a radiation machine. The application will be the mechanism by which an operator will declare his or her preference for either a Department or qualified nondepartment inspector. (See Sections 410.60(a)(1) and (c)(1).)
- D) The operator is required to file the application for inspection within 30 days from the date of installation of the radiation machine. (See Section 410.60(c)(1).)
- E) The operator must have his or her radiation machine inspected and a radiation inspection report filed with the Department within 6 months of

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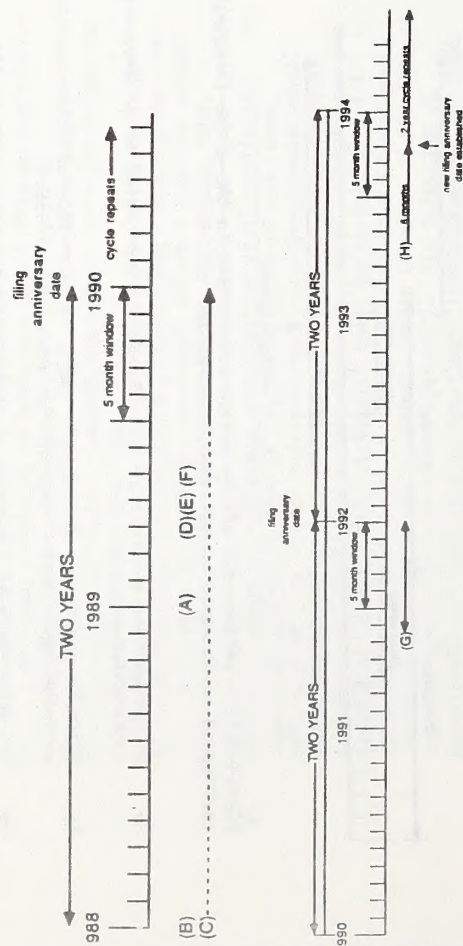
the date of initial installation. (See Section 410.60(c)(1).)

- F) The end date of the radiation machine inspection and testing will establish the operator's filing anniversary date for filing subsequent inspection reports. All future inspection and testing of the operator's radiation machine(s) must be performed and the radiation inspection report filed with the Department either on the filing anniversary date or within the 5 month period immediately preceding the filing anniversary date. (See Section 410.60(c)(1).)
- G) The operator is required to file an application with the Department for reinspection of his or her radiation machine within 9 months of the filing anniversary date. (See Section 410.60(d)(4).)
- H) The operator installs a new/used radiation machine or relocates/reactivates an existing radiation machine that had been previously stored or rendered mechanically inoperable.
- I) The operator shall file an application with the Department for inspection within 30 days of the installation of new, used, relocated, or reactivated radiation machines. The inspection and testing of the radiation machine(s) shall be performed in accordance with Section 410.50(a) and radiation inspection report(s) filed with the Department within 6 months of the date of activation of the system(s). (See Section 410.60(c).)
- J) If any radiation machine(s) is installed, relocated or reactivated within 7 months prior to the operator's inspection report filing anniversary date, and if the machine(s) is inspected during the 7 month period, the radiation machine(s) does not have to be reinspected within the 5 month period prescribed in Section 410.60(c)(1). The radiation inspection report(s) shall be filed with the Department on or before the operator's inspection report filing anniversary date. (See Section 410.60(c)(3).)
- K) If any radiation machine(s) totally replaces the operator's radiation machine inventory, the operator's inspection report filing anniversary date will be changed to the end date of the inspection and testing of the radiation machine(s). In accordance with Section 410.60(c)(1), inspection reports shall be filed within 6 months from the date of installation of the replacement machine(s). (See Section 410.60(c)(4).)

(Source: Repealed at 111. Reg. ____, effective ____)

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Section 410. ILLUSTRATION B. EXISTING FACILITY FILING ANNIVERSARY DATE (CLASS B FACILITY USED AS AN EXAMPLE) (Repealed)



AGENCY NOTE: Letters set off by closed parenthesis in the above illustration correspond to the arabic outline letters below.

- A) The effective date of Section 410.60(c).
- B) The end date of the operator's last radiation machine inspection and testing ("Class B" facility).
- C) The end date of the radiation machine inspection and testing will establish the operator's filing anniversary date for filing subsequent inspection reports. All future inspection and testing of the operator's radiation machine(s) must be performed and the radiation inspection report filed with the Department either on the filing anniversary date or within the 5 month period immediately preceding the filing anniversary date. (See Section 410.60(c)(2).)
- D) The operator is required to file an application with the Department for reinspection of his or her radiation machine within 9 months of the filing anniversary date. (See Section 410.60(d)(1).)

- (E) The operator installs a new or used radiation machine or relocates or reactivates an existing radiation machine that had been previously stored or rendered mechanically inoperable.
- (F) The operator shall file an application with the Department for inspection within 30 days of the installation of new, used, relocated, or reactivated radiation machines. The inspection and testing of the radiation machine(s) shall be performed in accordance with Section 410.50(a) and radiation inspection report(s) filed with the Department within 6 months of the date of activation of the system(s). (See Section 410.60(e).)
- (G) If any radiation machine(s) is installed, relocated or reactivated within 7 months prior to the operator's inspection report filing anniversary date, and if the machine(s) is inspected during the 7 month period, the radiation machine(s) does not have to be reinspected within the 5 month period prescribed in Section 410.60(c)(1). The radiation inspection report(s) shall be filed with the Department on or before the operator's inspection report filing anniversary date. (See Section 410.60(c)(3).)
- (H) If any radiation machine(s) totally replaces the operator's radiation machine inventory, the operator's inspection report filing anniversary date will be changed to the end date of the inspection and testing of the radiation machine(s). In accordance with Section 410.60(c)(1), inspection reports shall be filed within 6 months from the date of installation of the replacement machine(s). (See Section 410.60(c)(4).)
- (Source: Repealed at III. Reg. , effective)

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- 1) Heading of the Part: USE OF X-RAYS IN THE HEALING ARTS INCLUDING MEDICAL, DENTAL, PODIATRY, AND VETERINARY MEDICINE

- 2) Code Citation: 32 Ill. Adm. Code 360

3) Section Number: Proposed Action:

360.10	Amendment
360.20	Amendment
360.30	Amendment
360.40	Amendment
360.41	New Section
360.50	Amendment
360.60	Amendment
360.70	Repealed
360.71	Amendment
360.75	New Section
360.80	Repealed
360.90	Amendment
360.100	Amendment
360.110	Amendment
360.120	Amendment
360.APPENDIX A	Amendment
360.APPENDIX B	Amendment
360.APPENDIX C	New Section
360.APPENDIX D	New Section
360.APPENDIX E	New Section
360.ILLUSTRATION B	Repealed
360.TABLE A	New Section
360.TABLE B	Amendment
360.TABLE C	Repealed

- 4) Statutory Authority: Implementing and authorized by the Radiation Protection Act of 1990 (Ill. Rev. Stat. 1991, ch. 111½, par. 210 et seq.).

- 5) A Complete Description of the Subjects and Issues Involved: The Department is amending this Part to add requirements, standards and procedures applicable to providers of mammography services. The amendments would provide that: (1) mammography procedures be performed using radiation machines specifically designed for mammography; (2) mammography procedures be performed on equipment used only for mammography; (3) quality assurance testing be performed on equipment used to perform mammography procedures; and (4) unless mammography films or images are transferred to the patient, the films or images must be maintained by the provider of the mammography service or by the patient's physician for a minimum of 60 months. In addition to the

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standards and procedures applicable to providers of mammography services, the Department is adding additional standards and procedures regarding fluoroscopic systems, radiographic systems, and x-ray therapy systems. The Department is also adding two new sections and three new appendices to this Part. Sections 360.41 and 360.75 will establish additional requirements for use of diagnostic x-ray systems in the healing arts of medicine, podiatry and chiropractic. All of these changes are authorized by the Radiation Protection Act of 1990 as amended by P.A. 87-604. This amendment will also repeal Section 360.80, Illustration B and Table C.

- 6) Will this proposed amendment replace an emergency rule currently in effect? No

- 7) Does this rulemaking contain an automatic repeal date? No

- 8) Does this proposed amendment contain incorporations by reference? Yes

- 9) Are there any other proposed amendments pending on this Part? No

- 10) Statement of Statewide Policy Objectives: The requirements imposed by the proposed rulemaking are not expected to require local governments to establish, expand, or modify their activities in such a way as to necessitate additional expenditures from local revenues.

- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on this proposed rulemaking may be submitted in writing for a period of 45 days following publication of this notice. The Department will consider fully all written comments on this proposed rulemaking submitted during the 45 day comment period. Comments should be submitted to:

Betsy Salus
Senior Staff Attorney
Department of Nuclear Safety
1035 Outer Park Drive
Springfield, Illinois 62704
(217) 785-9881 (voice)
(217) 782-6133 (TDD)

- 12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: 12/4/92

CHAPTER II: DEPARTMENT OF NUCLEAR SAFETY

SUBCHAPTER b: RADIATION PROTECTION

TITLE 32: ENERGY

USE OF X-RAYS IN THE HEALING ARTS INCLUDING MEDICAL, DENTAL,
PODIATRY, AND VETERINARY MEDICINE

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- B) Types of small businesses affected: The Department believes that these amendments may impact small businesses (i.e., medical and veterinary practices that use x-rays for healing arts purposes).
- C) Reporting, bookkeeping or other procedures required for compliance: In order to comply with Sections 360.30, 360.71, 360.75, 360.110 and 360.120, registrants would have to maintain records at their facilities for review by the Department.
- D) Types of professional skills necessary for compliance: Section 360.20 sets forth the education and experience requirements that must be met by individuals applying ionizing radiation for diagnostic or therapeutic purposes and performing radiation measurements and quality assurance duties at diagnostic imaging facilities.

The full text of the Proposed Amendment begins on the next page:

Section	
360.10	Definitions
360.20	General Requirements and Administrative Controls
360.30	General Equipment and Operation Requirements for Diagnostic X-Ray Systems
360.40	Additional Requirements for Use of Diagnostic X-Ray Systems in the Healing Arts of Medicine, Podiatry and Chiropractic
360.41	Fluoroscopic Systems
360.50	Stationary Radiographic Systems Other Than Fluoroscopic, Dental Intraoral, Veterinary, or Computed Tomography Systems Used Solely for Mammography
360.60	Mobile/Portable Radiographic Systems Other Than Systems Used Solely for Mammography (Repealed)
360.70	Additional Requirements for Facilities Performing Mammography
360.71	Computed Tomography (CT) Systems
360.75	Photofluorographic Systems (Repealed)
360.80	Intraoral-Dental Radiographic Systems
360.90	Veterinary Radiographic Systems
360.100	Therapeutic X-Ray Installations
360.110	Therapeutic X-Ray Installations Therapy Systems Operating Below 1 Mev
360.120	Special Requirements for X-Ray Therapy Equipment Operated at Potential of Fifty (50) kVp and Below
360.120	Therapy Systems Operating at 1 Mev or Greater
360.120	Medical Radiographic Entrance Exposure Limits Measurement Protocol
360.120	Mammography Dose Limit Measurement Protocol
360.120	Mammography Phantom Image Evaluation
360.120	Computed Tomography Dose Measurement Protocol
360.120	Minimum Quality Control Program for Medical Accelerators
360.120	Thimble and Pancake Chamber - Radiation Measuring Devices
360.120	Mammography Dose Evaluation Graph (Repealed)
360.120	Filteration Required as a Function of Operating kVp (Repealed)
360.120	Mammography Dose Evaluation Table
360.120	Half-Value Layer as a Function of Tube Potential

360. TABLE C Entrance Exposure Limits Per Intraoral Bitewing Film (Repealed)

AUTHORITY: Implementing and authorized by the Radiation Protection Act of 1990 (P.A. 86-1341, effective September 7, 1990 111. Rev. Stat. 1991, ch. 111 1/2, par. 210 et seq.).

SOURCE: Filed April 20, 1974 by the Department of Public Health; old rules repealed, new rules adopted at 4 111. Reg. 25, p. 157, effective July 1, 1980; transferred to the Department of Nuclear Safety by P.A. 81-1516, effective December 3, 1980; codified at 7 111. Reg. 16406; amended at 10 111. Reg. 13271, effective July 28, 1986; amended at 13 111. Reg. 803, effective April 1, 1989; amended at 15 111. Reg. 6180, effective April 16, 1991; amended at ___ 111. Reg. ___, effective ___, 1992.

Section 360.10 Scope

- a) This Part establishes requirements for use of x-ray producing devices in the healing arts by a practitioner licensed to practice a treatment of human ailments by virtue of the Medical Practice Act of 1987 (111. Rev. Stat. 1987 1991, ch. 111, pars. 4400-1 et seq.), the Illinois Dental Practice Act (111. Rev. Stat. 1987 1991, ch. 111, pars. 2301 et seq.), or the Podiatric Medical Practice Act of 1987 (111. Rev. Stat. 1987 1991, ch. 111, pars. 4801 et seq.), or by a medical radiographer or radiation therapy technologist accredited in accordance with the provision of 32 111. Adm. Code 401.100 or an individual exempt from the provisions of 32 111. Adm. Code 401, by Section 401.30 of that Part, acting under the supervision, prescription or direction of such licensed person or the non-human use of x-ray by veterinarians by virtue of the Veterinary Medicine and Surgery Practice Act of 1983 (111. Rev. Stat. 1987 1991, ch. 111, pars. 7001 et seq.). The provisions of this Part are in addition to, and not in substitution for, other applicable provisions of 32 111. Adm. Code 310, 320, 340, 400, and 410..
- b) It is recognized that some installations and equipment designed before the adoption of this Part, coupled with conditions of use, may be adequate to achieve minimum exposures. Request for exemption from some provisions of this Part will be considered in accordance with 32 111. Adm. Code 310.30(a).

(Source: Amended at ___ 111. Reg. ___, effective ___)

Section 360.20 Definitions

As used in this Part, the following definitions apply:

"Accelerator (also "particle accelerator")" means any therapeutic machine capable of producing a useful beam of x-rays or charged particles with energies of 1 Mev or greater ~~than~~ 500 keV. Accelerators include cyclotrons, betatrons and linear accelerators.

"Accelerator facility" means the location at which one or more particle accelerators are installed and are operated under the same administrative control.

"Added filtration" means the effect of the material (filter) added to the inherent filtration.

"Aluminum equivalent" means the thickness of type 1100 aluminum alloy affording the same attenuation, under specified conditions, as the material in question. The nominal chemical composition of type 1100 aluminum alloy is 99.00 percent minimum aluminum, 0.12 percent copper.

"Applicator" means a structure which determines the extent of the treatment field at a given distance from the source of the beam.

"Attenuation block" means a block or stack, having dimensions 20 centimeters by 20 centimeters by 3.8 centimeters, of aluminum equivalent. Copper may be substituted for aluminum if an appropriate thickness is used for the kVp selected, as indicated below:

kVp	Millimeters of Copper Equivalent to 3.8 centimeters of aluminum
99 or less	2.0
100 to 125	2.5
greater than 125	3.0

"Automatic exposure control" means a device which automatically controls ~~±~~ one or more technique factors in order to obtain at a preselected location(s) a required quantity of radiation (see "Phototimer").

"Barrier" (see "Protective barrier").

"Beam" means a flow of electromagnetic or particulate radiation which passes through the opening in the beam limiting device and which is used for diagnosis or treatment.

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"Beam axis" means a line from the source through the center of the x-ray field (see "Central axis of the beam").

"Beam-limiting device" means a device which provides a means to restrict the dimensions of the x-ray field (see "Collimator", "Diaphragm", and "Shutter").

"Beam scattering filter" means a filter placed in an electron beam in order to scatter the beam and provide a more uniform distribution of electrons in the beam.

"Central axis of the beam" means the line passing through the source of the beam and the center of the plane formed by the edge of the first beam limiting device.

"Certified system" means an x-ray system which is subject to regulations promulgated under Public Law 90-602, the Radiation Control for Health and Safety Act of 1968 (42 U.S.C.A. 263(b) et seq.). 21 CFR 1000.3 et seq., in effect as of April 1, 1988, exclusive of subsequent amendments or editions. A copy of this document is available for public inspection at the Illinois Department of Nuclear Safety (Department), 1035 Outer Park Drive, Springfield, Illinois.

"Charged particle beam" (see definition for "beam").

"Coefficient of variation" means the ratio of the standard deviation to the mean value of a population of observations.

"Collimator" means a device or mechanism by which the x-ray beam is restricted in size (see "Beam-limiting device").

"Computed tomography (CT)" means the production of a tomogram by the acquisition and computer processing of x-ray transmission data.

"Computed tomography dose index (CTDI)" means the integral of the dose profile along a line perpendicular to the tomographic plane divided by the product of the nominal tomographic section thickness and the number of tomograms produced in a single scan.

"Contact therapy system" means an x-ray system used for therapy with the x-ray tube port placed in contact with or within 5-centimeters of the surface being treated which is designed for very short treatment distances (5 centimeters or less), usually employing peak tube potentials in the range of 20 to 50 kVp.

"Control panel" means that part or parts of the x-ray system upon which are mounted the switches, knobs, pushbuttons, and other hardware necessary for setting the technique factors prior to initiating an x-ray exposure.

"CI gantry" means the tube housing assemblies, beam-limiting devices, detectors, and the supporting structures and frames which hold these components.

"Dead-man switch" means a switch so constructed so that a circuit-closing contact can be maintained only by continuous pressure on the switch by the operator.

"Densitometer" means a device which is used to provide a quantitative measurement of the optical density of x-ray film to determine the response of the film to exposure and development.

"Diagnostic imaging specialist" means a person who possesses the knowledge, training, and experience to apply the principles of radiological physics to diagnostic x-ray applications. A diagnostic imaging specialist shall meet one of the two criteria below:

Be certified by the American Board of Radiology, the American Board of Medical Physics, or the Canadian College of Medical Physics in:

Diagnostic radiological physics; or

Radiological physics.

Be approved by the Department as a nondepartment inspector pursuant to the provisions of 32 Ill. Adm Code 410.30, and:

Have 3 years of experience performing radiation measurements and quality assurance duties for diagnostic imaging facilities; or

Have 2 years of experience performing radiation measurements and quality assurance duties and have undertaken a training program of at least 40 hours, conducted by a diagnostic imaging specialist, and which includes instruction in quality assurance procedures and the requirements of this Part.

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AGENCY NOTE: A person performing physics duties for a diagnostic facility should have experience in the same field for which the duties are performed. For example, an individual providing support to mammography facilities should have three years of mammography experience. It is recognized that three years of experience for various imaging modalities could be gained concurrently.

"Diagnostic source assembly" means an x-ray tube housing assembly, designed for use in diagnostic x-ray applications, with a beam limiting device attached.

"Diagnostic type protective tube housing" means an x-ray tube housing constructed so that when a beam-limiting device is attached, the leakage radiation measured at a distance of 1 meter from the source cannot exceed 100 mR in 1 hour when the tube is operated at its maximum continuous rated current for the maximum rated tube potential.

"Diaphragm" means a device or mechanism by which the x-ray beam is restricted in size (see "Beam-limiting device").

"Dose monitoring system" means a system of devices that will monitor the useful beam during irradiation and will terminate irradiation when a preselected number of monitor units has been accumulated.

"Field flattening filter" means a filter used to provide dose uniformity over the area of a useful beam of x-rays at a specified depth.

"Filter" means material placed in the useful beam to absorb, preferentially, radiations based on energy level (see "filtration" and "inherent filtration"), or to modify the spatial distribution of the beam.

"Filtration" means the act of preferentially absorbing radiation with filters or inherent filtration (see "filter" and "inherent filtration").

"Gantry" means that part of the system supporting and allowing possible movements of the radiation head.

"General purpose radiographic x-ray system" means any radiographic x-ray system which, by design, is not limited to radiographic examination of specific anatomical regions.

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"Gonad shield" means a protective device for the testes or ovaries which provides a minimum of 0.50 mm lead equivalent protection.

"Half-value layer (HVL)" means the thickness of a specified material that attenuates the beam of radiation to an extent such that the exposure rate is reduced to one-half of its original value.

AGENCY NOTE: The contribution of all scattered radiation, other than any that might be present initially in the beam concerned, is minimized.

"Healing arts screening" means the examination of human beings using x-ray machines for the detection or evaluation of potential diseases when such examinations are not specifically ordered by a licensed practitioner of the healing arts legally authorized to prescribe such x-ray examinations for the purpose of diagnosis or treatment. However, healing arts screening does not include mammography on self-referred patients.

"Image intensifier" means a device, installed in a housing, which converts an x-ray pattern into a corresponding light image.

"Image receptor" means any device, such as a fluorescent screen or radiographic film, which transforms incident x-ray photons either into a visible image or into another form which can be made into a visible image by further transformations.

"Inherent filtration" means the filtration permanently in the useful beam; it includes the effect of the x-ray tube window and any permanent tube or source enclosure (see "filter" and "filtration").

"Interlock" means a device arranged or connected such that the occurrence of an event or condition is required before a second event or condition can occur or continue to occur.

"Isocenter" means a fixed point in space located at the center of the smallest sphere through which the central axis of the useful beam passes at any beam orientation.

"Kilovolts peak (kVp)" means the crest value, in kilovolts, of the electric potential applied to the x-ray tube between the cathode and anode of a pulsating electric potential generator.

"Lead equivalent" means the thickness of lead affording the same attenuation, under specified conditions, as the material in question.

"Leakage radiation" means all radiation emanating from the diagnostic source assembly except for:

The useful beam; and

The radiation produced when the exposure switch or timer is not activated.

"Leakage technique factors" means the technique factors used to measure leakage radiation from the diagnostic source assembly. They are defined as follows:

For capacitor energy storage equipment, the maximum-rated peak tube potential and the maximum-rated number of exposures in an hour for operation at the maximum-rated peak tube potential with the quantity of charge per exposure being 10 millicoulombs, i.e., 10 milliamperes seconds, or the minimum obtainable from the unit, whichever is larger.

For field emission equipment rated for pulsed operation, the maximum-rated peak tube potential and the maximum-rated number of x-ray pulses in an hour for operation at the maximum-rated peak tube potential.

For all other equipment, the maximum-rated peak tube potential and the maximum-rated continuous tube current for the maximum-rated peak tube potential.

"Light field" means that area of the intersection of the light beam from the beam-limiting device and any one of the sets of planes parallel to and including the plane of the image receptor. The edge of the light field is defined as the locus of points at which the illumination is 25 percent of that at the center of the light field.

"Mammography" means radiography of the breast for the purpose of enabling a physician to determine the presence, size, location and extent of cancerous or potentially cancerous tissue in the breast.

"Mammography dosimetry test phantom" means a phantom ~~for~~ specifically designed for image quality evaluation of mammography systems and which may also be used in the process of determining

the mean glandular breast dose. ~~For automatic exposure control mammography systems it shall be any phantom material that is equivalent to a nominal 4.5 centimeter compressed breast of average density (i.e., 50 percent adipose and 50 percent glandular tissue), and shall contain masses, specks, and fibers as specified in Section 360.71(i)(2).~~

"Mammography System" means an x-ray system that is used to perform mammography.

"Medical radiographer" means a person other than a licensed practitioner, accredited in accordance with the provisions of 32 Ill. Adm. Code 401, or an individual exempt from the provisions of 32 Ill. Adm. Code 401, who performs medical radiation procedures and applies x-radiation, to any part of the human body, for diagnostic purposes while under the supervision of a licensed practitioner.

"Mobile equipment" (see "X-ray equipment").

"Monitor unit" means a unit response from the dose monitoring system from which the absorbed dose can be calculated.

"Moving beam therapy" means radiation therapy in which there is displacement of the useful beam relative to the patient. Moving beam therapy includes arc therapy, skip therapy, and rotational beam therapy.

"Multiple scan average dose (MSAD)" means the average dose at the center of a series of scans, specified at the center of the axis of rotation of a computed tomography system.

"Non-certified system" means an x-ray system which is not subject to regulations promulgated under Public Law 90-602, the Radiation Control for Health and Safety Act of 1968 (see "Certified system").

"Operator" means an individual who applies ionizing radiation for diagnostic or therapeutic purposes.

"Personnel monitoring" means the determination of radiation exposure to a person. Devices used for this purpose may include, but are not limited to, film badges, pocket dosimeters, and thermoluminescent dosimeters worn by the individual.

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"Phototimer" means a method for controlling radiation exposures to image receptors by the amount of radiation which reaches a radiation monitoring device(s). The radiation monitoring device(s) is part of an electronic circuit which controls the duration of time the tube is activated (see "Automatic exposure control").

"Physicist" (see "Therapeutic radiological physicist").

"Portable equipment" (see "X-ray equipment").

"Position indicating device" means a device on intraoral dental x-ray equipment used to indicate the beam position and to establish a definite source-skin distance.

"Positive beam limitation" means a beam limiting device which will, at the source image receptor distance for which the device is designed, either cause automatic adjustment of the x-ray field in the plane of the image receptor to the image receptor size within 5 seconds after insertion of the image receptor or, if adjustment is accomplished automatically in a time interval greater than 5 seconds or is manual, prevent production of x-rays until such adjustment is completed. For SID's at which the device is not intended to operate, the device prevents the production of x-rays.

"Primary protective barrier" (see "Protective barrier").

"Protective apron" means an apron of radiation absorbing materials, at least 0.25 mm lead equivalent, used to reduce exposure from stray leakage and scatter radiation (see "Stray radiation").

"Protective barrier" means a barrier of radiation absorbing material(s) used to reduce radiation exposure. The types of protective barriers are as follows:

"Primary protective barrier" means the material, excluding filters, placed in the useful beam to reduce the radiation exposure.

"Secondary protective barrier" means a barrier sufficient to attenuate the stray leakage and scatter radiation to the required degree (see "Stray radiation").

"Protective glove" means a glove made of radiation absorbing materials, at least 0.25 mm lead equivalent, used to reduce

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exposure from stray leakage and scatter radiation (see "Stray radiation").

"Qualified expert" means an individual who has demonstrated to the satisfaction of the Department that he or she possesses the knowledge and training to measure ionizing radiation, to evaluate safety techniques, and to advise regarding radiation protection needs. Satisfactory demonstration of such knowledge and training should include certification by a nationally recognized credentialing entity in the field of radiation protection.

"Radiation beam" (see definition for "beam").

"Radiation therapy simulation system" means a radiographic/fluoroscopic x-ray system used exclusively for localizing the volume to be exposed during radiation therapy and confirming the position and size of the therapeutic irradiation field.

"Radiologist" means a physician or veterinarian who is either:

Certified by the American Board of Radiology in diagnostic radiology or general radiology;

Certified by the American Osteopathic Board of Radiology;

Certified by the American Chiropractic Board of Radiology;
or

Certified by the American College of Veterinary Radiology;
or

Eligible for certification by any College or Board identified above.

"Reference plane" means a plane which is displaced from and parallel to the tomographic plane.

"Scan" means the complete process of collecting x-ray transmission data for the production of a tomogram. Data can be collected simultaneously during a single scan for the production of one or more tomograms.

"Scan increment" means the amount of relative displacement of the patient support device with respect to the C/I x-ray system between successive scans measured along the direction of such displacement.

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"Scatter radiation" means radiation that, during passage through matter, has been deviated in direction.

"Secondary protective barrier" (see "Protective barrier").

"Sensitometer" means a device which is used to test the setup and stability of film processing procedures and equipment by providing a standard pattern of light exposure of x-ray film.

"Shadow tray" means a device attached to the radiation head to support auxiliary beam limiting material.

"Shutter" means an adjustable beam-limiting or attenuating device, usually made of lead, fixed to an x-ray tube housing to intercept or collimate the useful beam (see "Beam-limiting device").

"SID" means source-image receptor distance (see "Source-image receptor distance").

"Source" means the focal spot of the x-ray tube.

"Source-image receptor distance" means the distance from the source to the center of the input surface of the image receptor.

"Source-skin distance (SSD)" means the distance measured along the central ray from the center of the front surface of the x-ray focal spot to the surface of the irradiated object.

"Special purpose x-ray system" means any radiographic x-ray system which, by design, is limited to radiographic examination of a specific anatomical region.

"Spot film" means a radiograph which is made during a fluoroscopic examination to permanently record conditions which exist during that fluoroscopic procedure.

"Stationary beam therapy" means radiation therapy in which there is no displacement of the useful beam relative to the patient during irradiation.

"Stationary equipment" (see "X-ray equipment").

"Stray radiation" means the sum of leakage and scatter radiation.

"Technique factors" means the electrical potential (kilovolts), current (milliamperes), exposure time parameters (seconds or

pulses) or a combination thereof, selectable at the control panel of an x-ray system (see "Control panel").

"Therapeutic Radiological Physicist" means an individual who has the knowledge, training, and experience to measure ionizing radiation, to evaluate safety techniques, to advise regarding radiation protection needs, and to apply the principles of radiological physics to clinical radiation therapy. To meet these criteria, a therapeutic radiological physicist shall:

Be certified by the American Board of Radiology, the American Board of Medical Physics, or the Canadian College of Medical Physics in:

Therapeutic radiological physics; or

Roentgen ray and gamma ray physics; or

X-ray and radium physics; or

Radiological physics; or

Hold a master's degree or doctorate in physics, biophysics, radiological physics, or health physics, and have completed 1 year of full-time training in radiological physics and also 1 year of full-time work experience under the supervision of a therapeutic radiological physicist at a medical institution. To meet this requirement, the individual shall have performed the tasks specified in Sections 360.120(c), (d), and (e) under the supervision of a therapeutic radiological physicist during the year of work experience.

"Tomogram" means the depiction of the x-ray attenuation properties of a section through the body.

"Tomographic plane" means that geometric plane which is identified as corresponding to the output tomogram.

"Tomographic section" means the volume of an object whose x-ray attenuation properties are imaged in a tomogram.

"Useful beam" means the radiation which passes through the tube housing port and the aperture of the beam limiting device when the exposure switch or timer is activated (see definition for "beam").

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"X-ray equipment" means an x-ray system, sub-system, or component thereof. Types of x-ray equipment are as follows:

"Mobile x-ray equipment" means x-ray equipment mounted on a permanent base with wheels and/or casters for moving while completely assembled.

"Portable x-ray equipment" means x-ray equipment designed to be hand-carried.

"Stationary x-ray equipment" means x-ray equipment which is installed in a fixed location.

"X-ray field" means, for diagnostic purposes, that area of the intersection of the useful beam and any ~~one~~ of the set of planes parallel to and including the plane of the image receptor. The edge of the x-ray field is defined as the locus of points at which the exposure is 25 percent of that at the center of the x-ray field.

"X-ray system" means an assemblage of components for the controlled production of x-rays. It includes minimally an x-ray high-voltage generator, an x-ray control panel, an x-ray tube housing assembly, a beam-limiting device, and the necessary supporting structures. Additional components which function with the system are considered integral parts of the system. X-ray systems include diagnostic systems, therapeutic systems, and accelerator systems.

(Source: Amended at Ill. Reg. ____, effective ____)

Section 360.30 General Requirements and Administrative Controls

The requirements in this Section apply to all uses of x-rays in veterinary medicine and to all uses of x-rays in the Healing Arts including the use of x-rays for both diagnostic and therapeutic purposes. Additional requirements for all diagnostic x-ray systems are in Sections 360.40 and specific equipment application classes are contained in Sections 360.50 41 through 360.100. For therapeutic x-ray systems also see Sections 360.110 and 360.120.

a) Registrant - The registrant shall:

- 1) Direct the operation of the x-ray system(s);
- 2) Register with the Department, in accordance with the provisions of 32 Ill. Adm. Code 320, all x-ray equipment

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which is used at the facility; and all portable or mobile x-ray equipment used by the registrant;

3) Register with the Department, in accordance with the provisions of 32 Ill. Adm. Code 320, all portable or mobile x-ray equipment used by the registrant;

4) Submit an application for inspection of radiation machines to the Department in accordance with 32 Ill. Adm. Code 410 and, if the inspection is performed by a qualified nondepartment inspector, submit a copy of the radiation inspection report to the Department;

5) Permit operation of the x-ray system(s) only by individuals who are licensed in accordance with State law (See Section 360.10(a)), or who are accredited by the Department, pursuant to 32 Ill. Adm. Code 401, or who are exempt from such requirements in accordance with the provisions of 32 Ill. Adm. Code 401.

6) Inform all individuals who work in activities pursuant to the operator's registration of their rights in accordance with the provisions of 32 Ill. Adm. Code 400; and

7) Maintain records showing the receipt, transfer, use, storage, and disposal of all sources of radiation in accordance with the provisions of 32 Ill. Adm. Code 310 and 320.

b) Shielding - Each installation shall be provided with such primary barriers and/or secondary barriers as are necessary to assure compliance with the provisions of 32 Ill. Adm. Code 340.1010, 340.1040 and 340.1050.

c) An x-ray system which does not meet the provisions of this Part shall not be operated for diagnostic or therapeutic purposes if so ordered by the Director.

d) If an x-ray system is identified as not being in compliance with the provisions of this Part and if that system is accessible for use, it shall be rendered inoperable (i.e., dismantle the x-ray source from the source support assembly) if so ordered by the Director.

e) Prohibitions -

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1) Unauthorized Exposure - Individuals shall not be exposed to the useful beam except for healing arts purposes and only when such exposure has been authorized by a licensed practitioner of the healing arts. This provision specifically prohibits deliberate exposure for the following purposes:

- 1) Exposure of individuals for training, demonstration, or other non-healing arts purposes.
- 2) Exposure of individuals for the purpose of "healing arts screening" (see Section 360.20).

2) Fluoroscopy shall not be used as a substitute for radiography or in lieu of proper anatomical positioning/centering procedures prior to radiographic studies.

3) Fluoroscopic equipment using phosphorescent screens shall not be used. Image intensification shall be utilized on all fluoroscopic equipment.

4) The use of direct exposure x-ray film (without intensifying screens) for all procedures other than intraoral dental radiography and therapeutic portal imaging is prohibited.

AGENCY NOTE: Therapeutic portal imaging is a technique used in radiation therapy to verify correct alignment of therapy beams with the patient's anatomy.

5) The use of photofluorographic systems is prohibited.

AGENCY NOTE: Photofluorography is frequently called mass miniature radiography. In this technique the image of a fluorescent screen is recorded on film by means of a camera.

f) Personnel Monitoring and Reporting Requirements - All persons who are associated with the operation of an x-ray system are subject to the occupational exposure limits and the radiation dose standards, requirements for the determination of the doses, requirements for personnel monitoring, and requirements for reporting of radiation doses which are contained in 32 Ill. Adm. Code 340.1010, 340.1020, 340.1040, 340.2010, and 340.2020 and the reporting requirements as stated in 32 Ill. Adm. Code 340.4010 through 340.4080.

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g) The registrant shall comply with the requirements of the Department's rules entitled, Notices, Instructions and Reports to Workers; Inspections, 32 Ill. Adm. Code 400.

h) Maintenance Records and Associated Information - The registrant shall maintain at the facility, for a period of at least 3 one inspection cycles (see 32 Ill. Adm. Code 410.60(d)), the following information for each x-ray system for inspection by the Department: records showing the receipt, transfer, storage, and disposal of all sources of radiation in accordance with the provisions of 32 Ill. Adm. Code 310 and 320.

1) Separate records of maintenance and modifications performed on each x-ray system with the name(s) of the individual(s) who performed such services and the date(s) performed.

2) A copy of all correspondence with the Department regarding the registrant's x-ray program.

i) Staff Qualifications - The registrant shall maintain at the facility, for review by the Department:

1) A current staffing plan indicating the names of all individuals responsible for operating x-ray equipment and the scope of their duties at the facility.

2) Current certificates of accreditation (clear, legible copies are acceptable), issued by the Department in accordance with the provisions of 32 Ill. Adm. Code 401, for all individuals who are required to be so accredited.

1) Radiation Safety Procedures - The registrant shall provide to each individual who operates x-ray equipment at the facility written operating and safety procedures. These procedures shall include restrictions required for the safe operation of each radiation machine, and shall include the topics listed in the radiation safety program of subsection (k) below.

2) Radiation Safety Program - The registrant shall provide for initial and annual in-service training in radiation safety for individuals (excluding licensed practitioners) that apply ionizing radiation at the facility, to ensure their awareness of the registrant's radiation safety practices and policies.

1) The in-service training must shall include the following topics:

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- A1) Operating and emergency procedures for the radiation machine(s);
- B2) Use of personnel and patient protective devices;
- C3) Procedures to minimize patient and personnel exposure, including procedures for selecting personnel to support patients or film, as required by Section 360.40;
- B4) Use of personnel monitoring devices (if such devices are used at the facility);
- E5) Film processing procedures; and
- F6) Prohibited uses of fluoroscopic x-ray machines (if such machines are used at the facility), as described in Section 360.40(j) subsection (e), above.
- 2) The registrant shall maintain for a period of at least 3 inspection cycles (see 32 Ill. Adm. Code 410.60(d)), documentation, signed by persons who apply ionizing radiation, that indicates the date and content of training provided.
- 3) The registrant shall provide to each individual subject to in-service training a written policy statement outlining the registrant's radiation safety practices and policies specified in subsection (j)(1) above.
- 1) Operator Training - Individuals who operate radiation machines shall be instructed in and able to demonstrate competence with the registrant's operating and safety procedures.

(Source: Amended at ___ Ill. Reg. ___, effective _____)

Section 360.40 General Equipment and Operation Requirements for Diagnostic X-ray Systems

The requirements of this Section apply to all diagnostic x-ray systems. Additional requirements for specific equipment application classes are in Sections 360.50 41 through 360.100.

- a) Half-Value Layer - The half-value layer of the useful beam for a given x-ray tube potential shall not be less than the values shown in Table B of this Part. If it is necessary to determine a half-

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value layer at an x-ray tube potential which is not listed in Table B, linear interpolation or extrapolation may be utilized to determine the appropriate value.

b) Beam-On Indicators

- 1) The control panel shall include a device (usually a milliammeter or labeled indicator lamp) which will give positive indication of the production of x-rays whenever the x-ray tube is energized.
- 2) In addition, on certified systems, a signal audible to the operator shall indicate that the exposure has terminated. Where two or more radiographic tubes are controlled by one exposure switch, the tube or tubes which have been selected shall be clearly indicated prior to initiation of the exposure. This indication shall be both on the x-ray control panel and at or near the tube housing assembly which has been selected.
- c) Mechanical Support of Tube Head - The tube housing assembly supports shall be adjusted such that the tube housing assembly will remain stable during an exposure unless tube housing movement is a designed function of the x-ray system. The tube housing assembly supports shall not be hand-held unless the manufacturer has specifically designed the system to be operated while hand-held.
- d) Diagnostic Source Assembly Leakage Radiation Limits - The leakage radiation measured at a distance of 1 meter from the source shall not exceed 100 milliroentgens in 1 hour when the tube is operated at its leakage technique factors.
- e) Exposure Switch - The exposure switch shall be a dead-man switch. Radiation From Capacitor Energy Storage X-ray Equipment in Standby Status - Radiation emitted from the x-ray tube when the exposure switch or timer is not activated shall not exceed a rate of 2 milliroentgens per hour at 5 centimeters from any accessible surface of the diagnostic source assembly, with the beam-limiting device fully open.
- f) Technique Indicators
- 1) The technique factors to be used during an exposure shall be indicated at the control panel before the exposure begins. If automatic exposure controls are used, the technique

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factors which are set prior to the exposure shall be indicated at the control panel.

- 2) The requirement of subsection (f)(1) above may be met by permanent markings on equipment having fixed technique factors. Indication of technique factors shall be visible from the operator's position except in the case of spot films.

- 3) The indicated technique factors of exposure time and kilovolts peak (kVp) shall correspond to the actual exposure factors within ten percent of the measured values.

g) Reproducibility of Exposures -

- 1) For any specific combination of selected technique factors utilized, the coefficient of variation of radiation exposures shall not exceed 0.05 for any specific combination of selected technique factors. It will not be necessary to calculate the coefficient of variation if for 4 consecutive measurements the value of the average exposure (E) is greater than or equal to 10 times the maximum exposure (E_{max}) minus the minimum exposure (E_{min}). This requirement is mathematically represented by the following:

$$\bar{E} \geq 10(E_{max} - E_{min})$$

- 2) For systems using automatic exposure control (AEC), compliance measurements shall be performed with the system operating in the AEC mode. Attenuating material shall be placed in the beam to provide exposure times in the range of those used clinically.

AGENCY NOTE: The intent of this subsection (g) is to require testing of the system in a manner that is clinically relevant. Reproducibility of exposures should be measured at technique factors that are commonly used and are subject to variation. For AEC systems, commonly used settings in combination with an appropriate thickness of attenuating material should be used to provide exposure times in the clinical range.

- h) Patient or Film Support - When a patient or film must be provided with auxiliary support during a radiation exposure:

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- 1) No person shall be used routinely to hold film or patients; and
- 2) Unless the procedure precludes their use, mechanical holding devices shall be used to restrain patients. For example, mechanical holding devices could not be used if the devices would preclude clear visualization of the tissue being examined.

- 3) When a patient or film must be held by a person, written safety procedures, as required by Section 360.30(j), shall indicate the criteria for selecting a holder and the procedure the holder shall follow.

AGENCY NOTE: The radiation dose received by radiation workers, patients, and the general public can be reduced if mechanical patient and film support devices are used for radiographic and fluoroscopic procedures. In the event that an individual must be used in lieu of mechanical patient or film support devices to hold patients or films, every effort should be made to limit the individual's exposure to radiation. This can be accomplished by not assigning to a single individual the task of supporting patients and films during radiographic and fluoroscopic examinations. Rather, a number of individuals may be rotated through the assignment, thereby reducing the radiation exposure to one individual.

gi) Personnel Protection -

- 1) Except for patients who cannot be moved out of the room, only the staff and ancillary personnel required for the medical procedure or training shall be in the room during the radiographic/fluoroscopic exposure.
- 2) Individuals who must be in the room with the patient being radiographed or fluoroscoped shall be protected by 0.25 millimeter lead equivalent apparel or device or shall be positioned at a distance such that no part of the individual's body will be is not exposed to: radiation in excess of the limits specified at 32 Ill. Adm. Code 340.1050.

- A) The useful beam unless protected by 0.5 millimeter lead equivalent apparel or device, and

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- B) ~~Stray radiation unless protected by 0.25 millimeter lead equivalent apparel or device.~~

~~AGENCY NOTE: If apparel is used, it should cover as much of the individual's trunk and upper leg surface areas as possible. Apparel that protects both posterior and anterior surfaces is recommended. If a device, e.g., protective screen/barrier, is used in lieu of protective apparel, the device should be of such a width and height to afford protection as would be provided if apparel was worn.~~

- ~~h1)~~ Technique Guides - In the vicinity of each radiographic x-ray system's control panel, a technique guide shall be provided which specifies for routine examinations performed with that system, the following information:

~~AGENCY NOTE: This requirement is applicable to both dental intraoral and extraoral radiographic systems.~~

- 1) Patient's anatomical size versus technique factors to be utilized;
- 2) Type and size of the film or film-screen combination to be used, and
- 3) SID to be used.
- 4) For automatic exposure control (AEC) systems (i.e., systems employing photo-multiplier tubes or ionization chambers to terminate the x-ray exposure) with selectable exposure detectors and density settings, the technique guide shall also specify the appropriate exposure detector(s) and density setting to be utilized for each radiographic examination listed.
- 5) For AEC systems, the technique guide shall specify the requirements of subsections ~~(h1)~~(1) through ~~(j1)~~(3) above to be followed if operated in a non-automatic mode.

~~AGENCY NOTE: The Department recognizes that alternate means may be available at the control panel to indicate technique factors for computerized imaging systems.~~

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- ~~(k)~~ Patient Exposure Criteria - Procedures and auxiliary equipment designed to minimize patient and personnel exposure commensurate with needed diagnostic information shall be used.

~~AGENCY NOTE: It is the intent of this subsection (ik) to provide for the optimum optical density, resolution, and contrast on the film while minimizing patient exposure. The kVp and SSD employed in radiographic examinations should be as great as practical and consistent with the diagnostic objectives of the study. The x-ray equipment should permit use of the optimum kVp that will reduce the doses to the patient based on the required optical density of the film. The milliamperage should be high enough to permit as short an exposure time as is necessary to limit the effects of motion, which would result in the loss of the radiograph's usefulness. In addition, x-ray films, intensifying screens, and other image recording devices should be as sensitive as is consistent with the requirements of the examination. Non-screen films should not be used unless absolutely necessary for a specific examination.~~

- ~~j)~~ Prohibited Use - Fluoroscopy shall not be used as a substitute for radiography or in lieu of proper anatomical positioning/centering procedures prior to radiographic studies (see 32 Ill. Adm. Code 340.100 for additional prohibited uses).

- ~~k1)~~ X-ray Film Processing Systems - The darkroom safe light illumination shall be adequate for the film speed(s) and the darkroom operating procedures used to prevent fogging of unprocessed film. The following additional requirements apply to film processing systems:

- 1) Manual film processing systems shall be monitored by the registrant to assure:
 - A) The use of a dedicated darkroom timer with an adjustable preset function. The timer shall be used to adjust film processing time according to solution temperature.
 - B) The use of a dedicated darkroom thermometer. The thermometer shall be used to adjust the film processing time according to solution temperature.
 - C) The use of a film processing guide. The guide shall contain, at a minimum, information regarding time(s) and temperature(s) (as recommended by the processing

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chemical manufacturer) used by the registrant to develop radiographs.

- D) The frequency at which film processing chemicals are changed is appropriate for the conditions of use.
- E) ~~The darkroom safe light illumination is adequate for the film speed(s) and the darkroom operating procedures used to prevent fogging of unprocessed film.~~
- 2) Automated film processing shall be monitored by the registrant to assure that:
 - A) The temperature of film processing chemicals is appropriate for the type of film(s) being processed at the film transport speed selected.
 - B) The film processing chemicals used and their replenishing rate (if applicable) are appropriate for the film transport speed selected.
 - C) ~~The darkroom safe light illumination is adequate for the film speed(s) and the darkroom operating procedures used (to prevent fogging of unprocessed film).~~

- 1m) Gonadal Shielding - Except for cases in which it would interfere with the diagnostic procedure, gonadal shielding of not less than 0.50 millimeter of lead equivalent shall be used for patients (who have not passed the reproductive age) during those radiographic procedures in which the gonads are in the useful beam.

AGENCY NOTE: Protection of the embryo or fetus from radiation exposure during radiological examination or treatment of a woman of childbearing age (potentially pregnant) should be given special consideration. However, in practice, medical needs should be the primary factors in deciding when to administer the examination.

(Source: Amended at Ill. Reg. ____, effective _____)

Section 360.41 Additional Requirements for Use of Diagnostic X-Ray Systems in the Healing Arts of Medicine, Podiatry and Chiropractic

- a) Viewing System - Windows, mirrors, closed circuit television, or

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an equivalent system shall be provided to permit the operator to continuously observe the patient during irradiation.

- b) The operator shall be able to maintain aural contact with the patient.
- c) Each x-ray control shall be located in such a way as to meet the following requirements:
 - 1) Stationary x-ray systems and mobile or portable x-ray systems used as stationary x-ray systems shall be required to have the x-ray control permanently mounted behind a protective barrier.
 - 2) For mobile and portable single event exposures and configuration, the x-ray control shall be positioned so that the operator is at least 6 feet away from the tube housing and the patient during an exposure.
- d) Portable or mobile x-ray equipment shall be used only for examinations where it is impractical to transfer the patient(s) to a stationary x-ray installation.

(Source: Added at Ill. Reg. ____, effective _____)

Section 360.50 Fluoroscopic Systems

In addition to the provisions of Sections 360.10, 360.30, 360.40 and 360.401, the requirements of this Section apply to x-ray equipment and associated facilities used for fluoroscopy.

- a) Beam Limitation - The x-ray field shall, whenever possible, be limited by stepless adjustable shutters. In addition:
 - 1) The minimum field size at the greatest SID shall be no greater than 5 centimeters by 5 centimeters.
 - 2) ~~For x-ray equipment with adjustable shutters, the The mechanism(s) (manual/automatic mode selector(s)) provided for activating and positioning the beam limiting shutters shall function properly. This requirement applies to shutters used in both fluoroscopic procedures or and spot filming procedures, or both fluoroscopic and spot filming procedures.~~

- 2) For fluoroscopic equipment without image intensifiers, the

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x-ray field shall not extend beyond the entire visible area of the image receptor. This requirement applies to field sizes for both fluoroscopic and spot filming procedures.

AGENCY NOTE: Visible area means that portion of the input surface of the image receptor over which incident x-ray photons are producing an image visible to the fluoroscopist.

- 3) For fluoroscopic equipment with image intensifiers, neither the length nor the width of the x-ray field in the plane of the image receptor shall exceed that of the visible area of the image receptor by more than 3 percent of the SID. The sum of the excess length and the excess width shall be no greater than 4 percent of the SID. This requirement applies to field sizes for both fluoroscopic procedures and spot filming procedures, or both fluoroscopic and spot filming procedures.

AGENCY NOTE: Visible area means that portion of the input surface of the image receptor over which incident x-ray photons are producing an image visible to the fluoroscopist.

- 4) For fluoroscopic equipment with only a manual mode of beam limitation, the x-ray field produced shall be limited to the area of the spot film cassette at 16 inches above the table top. Additionally, during fluoroscopy, the beam shall be restricted to the area of the input phosphor.

- 5) Spot film devices shall meet the following additional requirements:

A) Means shall be provided between the source and the patient for adjustment of the x-ray field size in the plane of the image receptor to the size which has been selected on the spot film selector. Such adjustment shall be accomplished automatically except when the x-ray field size in the plane of the image receptor is smaller than that selected.

B) The center of the x-ray field in the plane of the image receptor shall be aligned with the center of the selected portion of the film to within 2 percent of the SID; and

C) If the angle between the plane of the image receptor and beam axis is variable, a device shall be provided

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to visually indicate when the axis of the x-ray beam is perpendicular to the plane of the image receptor.

- b) Fluoroscopic Timer - A manual reset, cumulative timing device shall be used which will either indicate elapsed on-time by an audible signal or turn off the system when the total exposure time exceeds a predetermined limit not exceeding 5 minutes in \pm one or a series of exposures.

- c) Primary Barrier/Interlock - These devices shall be provided and shall function so that:

1) The entire cross section of the useful beam is intercepted by the primary protective barrier of the fluoroscopic image assembly at any SID; and

2) The fluoroscopic tube is interlocked to prevent the unit from producing x-rays unless the primary barrier is in position to intercept the useful beam, as specified in subsection (c)(1) above, at all times.

- d) Source-Skin Distance - The SSD shall not be less than:

1) 38 centimeters (15 inches) on all stationary fluoroscopes which are defined as certified systems,

2) 35.5 centimeters (14 inches) on stationary fluoroscopes which are defined as non-certified systems,

3) 30 centimeters (12 inches) on all mobile fluoroscopes,

4) 20 centimeters (8 inches) for image intensified fluoroscopes used for a specific surgical application;

4) 10 centimeters (4 inches) for fluoroscopes specifically designed and used for examination of extremities only and meeting the requirements of subsection (1) below.

- e) Entrance Exposure Rate (Non-Certified Systems) - Non-certified fluoroscopic systems shall not be operable at any combination of tube potential and current which will result in an exposure rate in excess of 10 roentgens per minute at the point where the center of the useful beam enters the patient. Indication of Potential and Current - During fluoroscopy and recording of fluoroscopic images, the kV and the mA shall be continuously indicated at the control panel and/or the operator's position.

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- f) Activation of the Fluoroscopic Tube - X-ray production in the fluoroscopic mode shall be controlled by a device which requires continuous pressure by the operator for the entire time of any exposure. When recording serial fluoroscopic images, the operator shall be able to terminate the x-ray exposure(s) at any time, but means may be provided to permit completion of any single exposure of the series in process.

fg) Entrance Exposure Rate (Certified Systems) Requirements -

- 1) Certified Systems With Automatic Maximum Exposure Rate Control- Fluoroscopic systems which are provided with automatic exposure rate control shall not be operable at any combination of tube potential and current which will result in an exposure rate in excess of 10 roentgens per minute at the point where the center of the useful beam enters the patient, except:

- A) During recording of fluoroscopic images; or
B) When an optional high level control is provided activated. (See subsection (f)(3) (g)(2) below.)

- 2) Certified Systems Without Automatic Exposure Rate Control- Fluoroscopic systems which are not provided with automatic exposure rate control shall not be operable at any combination of tube potential and current which will result in an exposure rate in excess of 5 roentgens per minute at the point where the center of the useful beam enters the patient, except:

- A) During recording of fluoroscopic images; or
B) When an optional high level control is activated-- (See subsection (f)(3) below.)

- 3) When provided with optional a high level control is activated, the equipment shall not be operable at any combination of the tube potential and current which will result in an exposure rate in excess of 5 20 roentgens per minute at the point where the center of the useful beam enters the patient unless the high level control is activated. In addition, the following requirements apply to high level controls:

- A) Separate means of activation of high level controls

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shall be required. The high level control shall only be operable when continuous manual activation is provided by the operator.

- B) A continuous signal audible to the fluoroscopist operator shall indicate that the high level control is being employed.

- 4) Compliance with the requirements of subsections (e) and (f)(1), (2) and (3) (g)(1) and (g)(2) above shall be determined as follows: using technique factors that produce the maximum exposure rate.

- A) For systems employing automatic exposure rate control, material having an equivalency of at least 0.317-cm (1/8 inch) three millimeters of lead shall be placed in the primary beam between the image receptor and the radiation measuring device. The lead or equivalent material shall be positioned to ensure that the entire primary beam is blocked and the radiation measuring device is positioned in accordance with the appropriate measurement protocol outlined in this subsection.

AGENCY NOTE: Many fluoroscopic systems do not yield their maximum exposure rate at the maximum tube potential or tube current. The exposure rate should be checked at various kVp and mA settings to establish the maximum exposure rate for the system.

- 4) Fluoroscopic systems shall not be operable at any combination of tube potential and current that will result in an exposure rate in excess of 5 roentgens per minute at the point where the center of the useful beam enters the patient, when measured under the following conditions:

- A) Movable grids and compression devices shall be removed from the useful beam during the measurement.

- B) For systems without automatic exposure rate control, the measurement shall be performed using technique factors clinically used for a standard adult patient thickness of 23 centimeters.

AGENCY NOTE: An attenuation block or other suitable material should be placed in the beam to protect the imaging system.

- C) For systems with automatic exposure rate control, the measurement shall be performed with an attenuation block, or other material simulating the standard adult patient thickness of 23 centimeters, in the beam between the radiation measuring device and the image receptor.

AGENCY NOTE: The Department recommends additional measurements be made of the entrance exposure rate for fluoroscopic systems capable of recording fluoroscopic images, and the entrance exposure for spot film techniques for fluoroscopic systems with that modality. In either case, measurements should be made under the conditions specified in subsection (4)(B) above.

- 5) Measurements performed pursuant to the requirements of subsections (q)(1) through (q)(4) above shall meet the following additional requirements:

- BA) If the source is below the table, the exposure rate shall be measured determined for the center of the useful beam 1 centimeter above the tabletop or cradle.

AGENCY NOTE: The fluoroscopic exposure rate may be measured at a reference point, in the central ray of the primary beam, other than specified in this subsection. However, compliance shall be determined by calculating the exposure rate at the point specified in this subsection.

- EB) If the source is above the table, the exposure rate shall be measured determined at 30 centimeters (12 inches) above the tabletop with the end of the beam-limiting device or spacer positioned as closely as possible to the point of measurement.

AGENCY NOTE: The fluoroscopic exposure rate may be measured at a reference point, in the central ray of the primary beam, other than specified in this subsection. However, compliance shall be determined by calculating the exposure rate at the point specified in this subsection.

by calculating the exposure rate at the point specified in this subsection.

- BC) For a fixed SID C-arm type of fluoroscope, the exposure rate shall be measured determined 30 centimeters (12 inches) from the input surface of the fluoroscopic imaging assembly.

AGENCY NOTE: The fluoroscopic exposure rate may be measured at a reference point, in the central ray of the primary beam, other than specified in this subsection. However, compliance shall be determined by calculating the exposure rate at the point specified in this subsection.

- ED) For a variable SID C-arm type of fluoroscope, the exposure rate shall be measured determined 30 centimeters (12 inches) from the input surface of the fluoroscopic imaging assembly with the end of the beam-limiting device or spacer positioned as close as possible to the point of measurement.

AGENCY NOTE: The fluoroscopic exposure rate may be measured at a reference point, in the central ray of the primary beam, other than specified in this subsection. However, compliance shall be determined by calculating the exposure rate at the point specified in this subsection.

- FE) For a lateral type fluoroscope, the exposure rate shall be measured determined on the central axis of the primary beam at a point 15 centimeters (6 inches) from the centerline of the x-ray table and in the direction of the x-ray source with the end of the beam-limiting device or spacer positioned as closely as possible to the point of measurement. If the tabletop is movable, it shall be positioned as closely as possible to the lateral x-ray source, with the end of the beam-limiting device or spacer no closer than 15 centimeters to the centerline of the x-ray table.

AGENCY NOTE: The fluoroscopic exposure rate may be measured at a reference point, in the central ray of the primary beam, other than specified in this subsection. However, compliance shall be determined by calculating the exposure rate at the point specified in this subsection.

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AGENCY NOTE: A lateral type fluoroscope is a fluoroscope that cannot be rotated so that the source or the fluoroscopic imaging assembly can be positioned below the fluoroscopic table or cradle.

- F) For a fluoroscopic system specifically designed for examination of extremities, the exposure rate shall be determined for the minimum source-skin distance.

- 6) The measurements required by subsection (g) above shall be performed when the system is inspected as specified in 32 Ill. Adm. Code 410, and after any maintenance of the system which might affect the exposure rate.

- 7) The results of the measurements required by subsections (g)(1), (g)(2), and (g)(4) above shall be posted or available at the control panel. The measurement results shall be stated in roentgens per minute or milliroentgens per second and shall include the technique factors used in determining such results. The name of the individual performing the measurements and the date the measurements were performed shall be included in the results.

AGENCY NOTE: The resolution and efficiency of the fluoroscopic imaging system should be evaluated periodically, whenever deterioration in the imaging system is suspected and when the measured exposure rate exceeds the standards of this Section.

- g) Screen Shielding For systems without image intensifiers, the fluoroscopic screen shall be covered with transparent protective material having a lead equivalency of at least 1.5 millimeters for equipment capable of operating up to 100 kVp, at least 1.8 millimeters for equipment whose maximum operating potential is greater than 100 kVp and less than 125 kVp, and at least 2.0 millimeters for equipment whose maximum operating potential is 125 kVp or greater.

- h) Barrier Transmitted Radiation Rate Limits -

- 1) The exposure rate due to transmission through the primary protective barrier shall not exceed 2 milliroentgens per hour at 10 centimeters from any accessible surface of the fluoroscopic imaging assembly beyond the plane of the image receptor for each roentgen per minute of entrance exposure rate.

- 2) Measuring Compliance of Barrier Transmission -

- A) The exposure rate due to transmission through the primary protective barrier shall be determined by measurements averaged over an area of 100 square centimeters with no linear dimension greater than 20 centimeters.
- B) If the source is below the tabletop, the exposure rate shall be determined with the input surface of the fluoroscopic imaging assembly positioned 30 centimeters above the tabletop.
- C) If the source is above the tabletop and the SID is variable, the exposure rate shall be determined with the end of the beam-limiting device or spacer as close to the tabletop as it can be placed, provided that it shall not be closer than 30 centimeters.
- D) Movable grids and compression devices shall be removed from the useful beam during the measurement.
- E) An attenuation block shall be positioned in the useful beam 10 centimeters from the point of measurement of entrance exposure rate and between this point and the input surface of the fluoroscopic imaging assembly.

- hi) Staff and Ancillary Personnel Protection - The fluoroscopist operator, assistants and observers allowed in the examining room shall be protected from scatter radiation by protective aprons of not less than 0.25 millimeter lead equivalent or whole body protective barriers.

- †j) Additional Shielding Control of Scattered Radiation -

- 1) For fluoroscopic systems utilizing an x-ray tube that is mounted below the table, the table shall be provided with shielding (bucky slot cover) equivalent to 0.25 millimeter lead equivalent to attenuate scattered radiation emanating from below the table.
- 2) A shield of at least 0.25 millimeter lead equivalent, such as overlapping protective drapes or hinged or sliding panels, shall be provided and used to intercept scatter radiation which would otherwise reach the fluoroscopist operator and others near the machine. This

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shielding shall not be a substitute for the wearing of a protective apron (0.25 mm lead equivalent for protection against scattered radiation).

- 3) Where sterile fields or special procedures prohibit the use of protective barriers or drapes, subsection (j)(2) above shall not apply, if all of the following conditions are met:

- A) All persons, except the patient, in the room where fluoroscopy is performed, shall wear protective aprons of 0.25 millimeter lead equivalent;
- B) The fluoroscopic field size shall be reduced to the absolute minimum required for the procedure being performed (area of clinical interest);
- C) Operating and safety procedures shall reflect the above conditions.

- j) ~~Mobile Fluoroscopes~~ In addition to the other requirements of this Section, ~~mobile fluoroscopes shall provide intensified imaging.~~

- k) Additional Requirements for Stationary Fluoroscopic Systems Used for Cardiac Catheterization Procedures -

- 1) Protective barriers shall be available for use by individuals whose presence is required in the room during activation of the x-ray tube(s). If a protective barrier includes or consists of a transparent viewing panel, the viewing panel shall afford protection of not less than 0.5 millimeter of lead equivalent.
- 2) Protective aprons of not less than 0.25 millimeter of lead equivalent shall be worn in the fluoroscopy room by all individuals (except the patient).

AGENCY NOTE: Because modern equipment allows great flexibility in the direction of the beam, individuals in the room should step back from the x-ray system and behind protective barriers during activation of the x-ray tube(s).

- l) Additional requirements for Fluoroscopic Systems Specifically Designed for Examination of Extremities -

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- 1) The radiation safety procedures required pursuant to Section 360.30(i) shall include the following:

- A) A warning concerning the potential for, and the hazards of, increased patient x-ray exposure associated with x-ray systems employing short source-skin distances;
- B) Procedures for obtaining imaging magnification with minimum patient exposure, including imaging systems or film/screen combinations;
- C) Technique factors for specific examinations for which the system is designed;
- D) Radiation exposure data, including skin entrance exposure for each set of technique factors used.

- 2) The x-ray system shall be clearly labeled as follows: "For Examination of Extremities Only".

- 3) The source-skin distance shall be limited as specified in subsection (d) above.

- km) Radiation Therapy Simulation Systems - Radiation therapy simulation systems shall be exempt from the requirements of subsections (a), (b), (c), (eg) and (fh) above provided that:

- 1) Such systems are designed and used in such a manner that no individual other than the patient is in the x-ray room during periods of time when the system is producing x-rays; and
- 2) Such systems that do not meet the requirements of subsection (b) above are provided with a means of indicating the cumulative time that an individual patient has been exposed to x-rays. Procedures shall require in such cases that the timer be reset between examinations.

- tn) Operator Restrictions - No person shall intentionally administer radiation to a human being with a fluoroscopic radiation machine unless such person is licensed to practice a treatment of human ailments under the Medical Practice Act of 1987, the Illinois Dental Practice Act, or the Podiatric Medical Practice Act of 1987, and the Veterinary Medicine and Surgery Practice Act of 1983, except:

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- 1) ~~An~~ An accredited medical radiographer may operate a fluoroscope for static functions when interpretation of the results is not required and only under the direct supervision of a ~~radiologist~~ radiologist licensed practitioner who is ~~physically present~~ within visual contact; or
- 2) An accredited medical radiographer may operate a fluoroscope for radiation therapy simulation procedures under the direct supervision of a licensed practitioner.

(Source: Amended at Ill. Reg. __, effective ____)

Section 360.60 Stationary Radiographic Systems Other Than Fluoroscopic, Dental ~~Interaor~~, Veterinary, or Computed Tomography Systems Used ~~Solely~~ For Mammography

In addition to the provisions of Sections 360.10, 360.30, 360.40 and 360.401, the requirements of this Section apply to x-ray equipment and associated facilities used ~~for radiography with stationary radiographic systems other than~~ in the healing arts of medicine, chiropractic, and podiatry. It does not apply to fluoroscopic, dental ~~interaor~~, veterinary, or medical computed tomography systems, or systems used solely for mammography.

- a) Beam Limitation - The useful beam shall be limited to the area of clinical interest. ~~The size of the image receptor utilized for each radiographic projection shall be consistent with the objectives of the examination.~~

- 1) Stationary General Purpose and Mobile/Portable X-ray Systems
 - ~~Means shall be provided to limit the x-ray field in the plane of the image receptor so that such field does not exceed each dimension of the image receptor by more than 2 percent of the SID when the axis of the x-ray beam is perpendicular to the plane of the image receptor.~~

- A) Variable X-ray Field Limitation - ~~There An adjustable collimator shall be provided a with means for independent stepless adjustment of the size of the x-ray field.~~

- B) Visual Indication of Field Size - Means shall be provided for visually defining the perimeter of the x-ray field. The total misalignment of the edges of the visually defined field, with respect to the edges of the x-ray field, shall not exceed 2 percent of the distance from the source to the center of the visually

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defined field when the surface upon which it appears is perpendicular to the axis of the x-ray beam.

AGENCY NOTE: When a light localizer is used to define the x-ray field, it should provide an average illumination of not less than 100 lux or 9 footcandles at 100 centimeters or at the maximum SID, whichever is less.

- G) ~~Numerical Indication of Field Size~~

- 2) Additional Requirements for Stationary General Purpose X-Ray Systems - In addition to the requirements of subsection (a)(1) above, all stationary general purpose x-ray systems shall meet the following requirements:

- +A) The beam-limiting device shall numerically indicate the x-ray field size in the plane of the image receptor to which it is adjusted.
- +B) The x-ray field dimensions shall be specified in inches and/or centimeters, and shall be such that aperture adjustments result in x-ray field dimensions in the plane of the image receptor that do not differ from the numerical indicated dimensions by more than + or - 2 percent of the SID when the beam axis is perpendicular to the plane of the image receptor.

- +C) The beam-limiting device shall be provided with SID scales that reflect the actual SID(s) used for radiographic procedures.

- D) SID Indication -

- i) Means shall be provided to indicate the SID.
- ii) SIDs shall be indicated in inches and/or centimeters and the measured SID shall correspond to the indicated value to within 2 percent.

- E) X-Ray Field/Image Receptor Alignment - Means shall be provided to:

- i) Indicate when the axis of the x-ray field is

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perpendicular to the plane of the image receptor; and

- ii) Align the center of the x-ray field with respect to the center of the image receptor to within 2 percent of the SID.

F) ~~Additional Requirements for Systems Equipped with Positive Beam Limitation~~

- i) ~~The x-ray field size in the plane of the image receptor, whether automatically or manually adjusted, shall be such that neither the length nor the width of the x-ray field differs from that of the image receptor by greater than 3 percent of the SID and that the sum of the length and width differences without regard to sign be no greater than 4 percent of the SID when the equipment indicates that the beam axis is perpendicular to the plane of the image receptor.~~

- ii) ~~The radiographic system shall be capable of operation, at the discretion of the operator, such that the field size at the image receptor can be adjusted to a size smaller than the image receptor. The minimum field size at a distance of 100 centimeters (40 inches) shall be equal to or less than 5 centimeters by 5 centimeters (2 inches by 2 inches). Return to positive beam limitation shall occur upon a change in image receptor.~~

- iii) ~~Positive beam limitation may be bypassed when radiography is conducted which does not use the cassette tray or permanently mounted vertical cassette holder, or when either the beam axis or table angulation is not within 10 degrees of the horizontal or vertical during any part of the exposure, or during stereoscopic radiography. If the bypass mode is provided, return to positive beam limitation shall be automatic.~~

- iv) ~~A capability may be provided for overriding positive beam limitation in the event of system failure or to perform special procedures which~~

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~~cannot be performed in the positive mode. If so provided, a key shall be required to override the positive mode. It shall be impossible to remove the key while the positive mode is overridden.~~

23) Special Purpose X-Ray Systems -

A) SID Indication -

- i) Means shall be provided to indicate the SID.
- ii) SIDs shall be indicated in inches and/or centimeters and the measured SID shall correspond to the indicated value to within 2 percent.

- B) Means shall be provided to limit the x-ray field in the plane of the image receptor so that such field does not exceed each dimension of the image receptor by more than 2 percent of the SID when the axis of the x-ray beam is perpendicular to the plane of the image receptor.

- C) Means shall be provided to align the center of the x-ray field with the center of the image receptor to within 2 percent of the SID.

- D) The requirements of subsection (a)(23)(B) above may be met:

- i) With a system that meets the requirements specified in subsection (a)(1) above; or
- ii) With an assortment of removable, fixed-aperture, beam-limiting devices sufficient to meet the requirement for each combination of image receptor size and SID for which the unit is used, with each such device having permanent, clearly legible markings, in inches and/or centimeters, to indicate the image receptor size and SID for which it is designed; or
- iii) With a beam-limiting device having multiple fixed apertures sufficient to meet the requirement for each combination of image

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receptor size and SID for which the unit is used. Permanent, clearly legible markings, in inches and/or centimeters, shall indicate the image receptor size and SID for which each aperture is designed and shall indicate which aperture is in position for use.

E) Exemptions -

- i) Radiation therapy simulation systems - Radiation therapy simulation systems shall be exempt from the beam limitation requirements of subsection (a)(3)(B) above.
- ii) Mammography systems - Mammography systems shall be exempt from the requirements of subsection (a)(3)(C) above.

34) Single Purpose X-Ray Systems Designed for One Image Receptor Size - Radiographic equipment designed for only one image receptor size at a fixed SID shall be provided with means to limit the x-ray field at the plane of the image receptor to dimensions no greater than those of the image receptor, when the axis of the x-ray beam is perpendicular to the plane of the image receptor and to align the center of the x-ray field with the center of the image receptor to within 2 percent of the SID, or shall be provided with means to both size and align the x-ray field such that the x-ray field at the plane of the image receptor does not extend beyond any edge of the image receptor.

b) Timers Radiation Exposure Control Devices -

- 1) Timers - Means shall be provided to terminate the exposure at a preset time interval, preset product of current and time, preset number of pulses, or preset radiation exposure to the image receptor. Also, it shall not be possible to make an exposure when the timer is set to a zero or off position if either position is provided.
- 2) In addition, for certified systems, termination of exposure shall cause automatic resetting of the timer to its initial setting or to zero. X-Ray Control -

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A) An x-ray control shall be incorporated into each x-ray system such that an exposure can be terminated by the operator at any time except for:

- i) Exposures of one-half (1/2) second or less; or
- ii) During serial radiography when means shall be provided to permit completion of any single exposure of the series in process.

B) The exposure switch shall be a dead-man switch.

3) Automatic Exposure Controls (AEC) - Systems which are provided with automatic exposure control devices shall incorporate a back-up timer to terminate the radiation exposure in the event of AEC failure. In addition, they shall meet the following requirements:

- A) Indication shall be made on the control panel when this mode of operation is selected; and
- B) A visible signal shall indicate when an exposure has been terminated by the back-up timer, and manual resetting shall be required before further automatically timed exposures can be made.

c) Operator's Control Station - Stationary protective barriers shall be provided for the x-ray operator. Source to Skin Distance (SSD) - All mobile or portable radiographic systems shall be provided with means to limit the SSD to 30 centimeters or greater.

d) Exposure Switch Arrangement - The exposure switch shall be arranged so that it cannot be operated by a person outside a stationary protective barrier. Linearity - For equipment which is utilized at more than one x-ray tube current setting, the average ratios of exposure (milliroentgens) to the indicated milliampereseconds (mAs) product obtained at any two consecutive tube current settings shall not differ by more than 0.10 times their sum. This requirement is mathematically represented by the following:

$$|X_1 - X_2| \leq [0.10(X_1 + X_2)]$$

where X_1 and X_2 are the average mR/mAs values obtained at each of two consecutive tube current settings.

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- e) Anellary Personnel Protection—Individuals other than the patient whose presence is required in the radiographic room during an x-ray examination shall be protected from scatter radiation by protective aprons of not less than 0.25 millimeter lead equivalent or whole body protective barriers.

- f) Medical Radiographic Entrance Exposure Limits—The in-air exposure measured at the table top determined for the technique used for an the specified average adult patient for routine medical radiography will be shall not exceed the following entrance exposure limits shown below: (See Section 360.40 Appendix A for measurement protocol and calculation of exposure at skin entrance).

- 1) "Abdomen Anterior Posterior (A.P.) View" exposure shall not exceed 500 milliroentgens per radiograph.
- 2) "Lumbar Spine Lateral View" exposure shall not exceed 1400 milliroentgens per radiograph.
- 3) "Cervical Spine A.P. View" exposure shall not exceed 150 milliroentgens per radiograph.
- 4) "Skull Posterior Anterior (P.A.) View" exposure shall not exceed 400 milliroentgens per radiograph.

Technique	Thickness (cm)	Exposure Limit (milliroentgens)
Chest (PA), Grid	23	35
Chest (PA), Non-Grid	23	30
Abdomen (KUB)	23	600
Lumbo-Sacral Spine (AP)	23	800
Cervical Spine (AP)	13	200
Skull (lateral)	15	250
Foot (D/P)	8	100

AGENCY NOTE: These exposures are maximums. With careful selection of technique factors, adjustment of film processing systems, and choice of film and film screen combinations, patient exposures can be further reduced. For example, the following patient exposures should not be exceeded for each of the exams listed: "Abdomen A.P. View" exposure should not exceed 350 milliroentgens per radiograph; "Lumbar Spine Lateral View"

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exposure should not exceed 1,000 milliroentgens per radiograph; "Cervical Spine A.P. View" exposure should not exceed 100 milliroentgens per radiograph; and "Skull P.A. View" exposure should not exceed 200 milliroentgens per radiograph.

(Source: Amended at 111. Reg. __, effective __)

Section 360.70 Mobile/Portable Radiographic Systems Other Than Systems Used Solely For Mammography (Repealed)

In addition to the provisions of Sections 360.10, 360.30 and 360.40, the requirements of this Section apply to x-ray equipment and associated facilities used for radiography with medical mobile/portable systems.

- a) Beam Limitation—The useful beam shall be limited to the area of clinical interest. The size of the image receptor used for each radiographic projection shall be consistent with the objectives of the examination.

- 1) Limitation Criteria—Means shall be provided to limit the x-ray field in the plane of the image receptor so that the field does not exceed each dimension of the image receptor by more than 2 percent of the SID when the axis of the x-ray beam is perpendicular to the plane of the image receptor. Limitation of the x-ray field for certified x-ray systems shall be accomplished by the means specified in Section 360.60(a)(1)(A) and (B). For non-certified x-ray systems, the x-ray field shall be limited by the means specified in either Section 360.60(a)(1)(A) and (B) or Section 360.60(a)(2)(D)(i) and (ii).

- 2) SID Indication—

- A) Means shall be provided to indicate the SID.

- B) SIDs shall be indicated in inches and/or centimeters and the measured SID shall correspond to the indicated value to within 2 percent.

- b) Exposure Switch Arrangement—

- 1) The exposure control switch shall be arranged so that the operator can stand at least 6 feet from the patient, the x-ray tube, and well away from the useful beam.

- 2) All individuals operating mobile/portable x-ray systems

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shall wear protective aprons of not less than 0.25 millimeter lead equivalent.

- 3) When a mobile/portable x ray system is used in 1 location, it shall be considered a stationary system subject to the requirements specified in Section 360.60(c) and (d).

e) Source Skin Distance—

- 1) Non-certified x ray systems shall not be operable at a SSD of less than 20 centimeters (8 inches).

- 2) Certified x ray systems shall not be operable at a SSD of less than 30 centimeters (12 inches).

d) Timers—

- 1) Means shall be provided to terminate the exposure at a preset time interval, preset product of current and time, preset number of pulses, or preset radiation exposure to the image receptor. Also, it shall not be possible to make an exposure when the timer is set to a zero or off position if either position is provided.

- 2) In addition, for certified systems, termination of exposure shall cause automatic resetting of the timer to its initial setting or to zero.

- e) Radiation from Capacitor Energy Storage X ray Equipment in Standby Status—Radiation emitted from the x ray tube when the exposure switch or timer is not activated shall not exceed a rate of 2 milliroentgens per hour at 5 centimeters (2 inches) from any accessible surface of the diagnostic source assembly, with the beam limiting device fully open.

- f) Ancillary Personnel Protection—Individuals other than the patient whose presence is required in the radiographic room during an x ray examination shall be protected from scatter radiation by protective aprons of not less than 0.25 millimeter lead equivalent or whole body protective barriers.

- g) Medical Radiographic Exposure Limits—Criteria specified in Section 360.60(f) apply.

(Source: Repealed at ___ Ill. Reg. ___, effective _____)

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Section 360.71 Additional Requirements for Facilities Performing Mammography
In addition to the provisions of Sections 360.10, 360.30, 360.40, 360.41, 360.60 and 32 Ill. Adm. Code 400 and 401, the requirements of this Section apply to mammography systems and associated facilities used for mammography.

- a) Physician Supervision—Mammography operations and procedures shall be under the supervision of a physician licensed under the Medical Practice Act of 1987 (Ill. Rev. Stat. 1989 1991, ch. 111, par. 4400) to practice medicine in all of its branches.

AGENCY NOTE: The individual interpreting clinical images of the breast should be a radiologist trained in the imaging modality being used and should be certified or eligible for certification by either the American Board of Radiology in diagnostic radiology or general radiology or the American Osteopathic Board of Radiology. A facility facilities performing mammography should have a program that is are encouraged to seek accredited accreditation by the American College of Radiology or the Illinois Radiological Society or have a program that is comparable.

- b) Medical Radiographers Who Perform Mammography—Operators of facilities where mammography is performed by medical radiographers shall assure that such medical radiographers have met the requirements for initial training and continued education in mammography, as set forth in 32 Ill. Adm. Code 401.160 and 401. Appendix C.

- b_c) Screen Film Mammography—Screen film mammography shall only be performed with a special purpose radiation machine specifically designed for and used solely for mammography procedures.

- e_d) Xeromammography—Xeromammography shall only be performed with a radiation machine that has been specifically designed for or modified to perform xeromammography. Mammography systems shall be provided with compression devices parallel to the imaging plane to immobilize and compress the breast. Compression devices shall:

- 1) Be capable of maintaining a compression force of at least 25 pounds for at least 15 seconds; and
- 2) Not be capable of exceeding a compression force of more than 45 pounds when used in an automatic or power drive mode.

AGENCY NOTE: Mammography compression devices should be tested at regular intervals to ensure the compression force

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is adequate but not excessive and that the devices release properly according to the manufacturer's specifications.

- d) Beam Limitation—
- 1) Means shall be provided to limit the useful beam so that the x ray field at the plane of the image receptor does not extend beyond any edge of the image receptor at any designated source to image receptor distance (SID). However, the x ray field may extend beyond the edge of the image receptor designed to be adjacent to the chest wall provided it does not extend beyond this edge by more than 2 percent of the SID.
 - 2) The requirement of subsection (d)(1) above shall be met with a system that performs as prescribed in either Section 360.60(a)(1) or Section 360.60(a)(2)(D)(ii).
- e) Beam Limiting Device Labeling—
- 1) If beam limitation is met with a device as prescribed in Section 360.60(a)(2)(D)(ii), such device shall have permanent clearly legible markings in inches and/or centimeters indicating the image receptor size and SID for which each device is designed.
 - 2) If the radiation machine is capable of using variable SIDs, the SID indication specified in subsection (e)(1) above shall be the maximum SID for which the beam limiting device is designed.
- f) Exposure Switch Arrangement—
- 1) Stationary Mammography Systems—For mammography systems consisting of stationary x ray equipment, the criteria specified in Section 360.60(d) shall apply.
 - 2) Mobile and Portable Mammography Systems—For mammography systems consisting of mobile and portable x ray equipment, the criteria specified in either Section 360.60(d) or Section 360.70(b)(1) shall apply.
- g) Operator Shielding—
- 1) Stationary Mammography Systems—For mammography systems

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- 2) Mobile and Portable Mammography Systems—For mammography systems consisting of mobile and portable x ray equipment, the criteria specified in either Section 360.60(c) or Section 360.70(b)(2) shall apply.
 - 3) Mobile and Portable X Ray Equipment Used in Only One Location—When mobile or portable x ray equipment is used in only one location, it shall be considered a stationary system and shall be subject to the requirements specified in Sections 360.60(c) and (d).
- h) Timers—The criteria specified in Section 360.60(b) shall apply.
- i) SID Indicator—For radiation machines capable of operating at variable SIDs, the criteria specified in Section 360.60(a)(1)(D) shall apply.
- j) X ray Field/Image Receptor Alignment—Section 360.60(a)(2)(C) shall apply.
- e) Half Value Layer—Notwithstanding the requirements of Section 360.40(a), the following requirements apply to mammography systems:
- 1) For mammography systems operating at x-ray tube potentials of less than 35 kVp, the half value layer (HVL) in millimeters of aluminum of the useful beam shall be equal to or greater than the product of the tube potential in kilovolts multiplied by 0.01.
- Example: If the HVL is measured at a tube potential of 27 kVp, the minimum acceptable HVL is 0.27 millimeters of aluminum.
- AGENCY NOTE: Prior to making HVL determinations, the kVp of the useful beam should be measured to verify the accuracy of the indicated kVp values. If a discrepancy exists between the measured and indicated values, the measured value should be used for the calculation of minimum HVL (see also Section 360.40(f)(3)).
- 2) For non-film-screen applications, the half value layer shall not be less than 1.0 mm of aluminum equivalent.

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- 3) The half value layer shall be measured with the compression device in the beam, and at the same tube potential used in Section 360. Appendix B, Mammography Dose Measurement Protocol, and Section 360. Appendix C, Mammography Phantom Image Evaluation.

AGENCY NOTE: If the measured half value layer is significantly greater than the specified minimum, image contrast will be reduced and overall image quality will be degraded. For film-screen mammography systems, it is recommended that the HVL not exceed the minimum acceptable HVL by more than 0.1 millimeter of aluminum.

- f) Source to Image Receptor Distance - Mammography equipment shall not be operated at any source to image receptor distance less than 50 centimeters.
- k) Backup Timer - Radiation systems with automatic exposure control (AEC) shall incorporate a backup timer to terminate the radiation exposure in the event of AEC failure.
- t) SSD - Except with respect to magnification for mammography projections, mammography systems shall satisfy the requirements of Section 360.70(c).
- mg) Focal Spot Size - The nominal focal spot size, as specified by the x-ray tube manufacturer, shall not exceed 0.76 millimeter.
- n) Reproducibility of Exposures - For all systems, regardless of whether they are equipped with AEC, the estimated coefficient of variation of radiation exposures shall be no greater than 0.05 for any specific combination of selected technique factors. It will not be necessary to calculate the coefficient of variation if for 4 consecutive measurements taken within a time period of 1 hour the difference between the highest and lowest exposures does not exceed 10 percent. If there is a difference greater than 10 percent, 6 additional exposures shall be made and the coefficient of variation shall be calculated.

AGENCY NOTE: "Coefficient of variation" means the ratio of the standard deviation to the mean value of a population of observations. It is calculated using the following equation:

where:

s = Estimated standard deviation of the population.

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- ~~x = Mean value of observations in sample.~~
- ~~x_i = ith observation sampled.~~
- ~~n = Number of observations sampled.~~

Mammography Exam Dose Limits (See Section 360. Appendix B for the required measurement protocol.) - The mean glandular dose for one craniocaudal view of a 1-8 inch (4.5 centimeter) compressed breast (50 percent adipose/50 percent glandular) shall not exceed:

- 1) 100 millirads (1 milligray) for film/screen radiographs not employing the use of grids,
- 2) 300 millirads (3 milligrays) for film/screen radiographs employing the use of grids, or
- 3) 400 millirads (4 milligrays) for xerography.

- i) Mammography exposure rate - Mammography systems shall have sufficient x-ray output to complete the exposure required for the dose measurement of subsection (h) above, within a time of 2.5 seconds or less.

AGENCY NOTE: Mammographic x-ray systems should have means to indicate the milliamperere-seconds (mAs) resulting from each exposure made with automatic exposure control.

- j) Mammography phantom image evaluation - AGENCY NOTE: A Each facility performing mammography should ensure that the mammography equipment is subjected to a phantom image evaluation using the Have a Mammography Mammography Dosimetry Test phantom specified in subsection (i)(2) below, specifically designed for breast imaging. This phantom should enable the individual interpreting clinical images of the breast to readily determine the x-ray system's ability to identify masses, fibrils, and calcifications on a month-to-month basis.

- 1) A phantom image evaluation shall be performed annually as part of the inspection procedure required in 32 Ill Adm. Code 410.50, using the Mammography Phantom Image Evaluation protocol found in Section 360. Appendix C.

- A) Phantom images produced during an inspection by a Departmental inspector shall be retained by the Department.

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- B) Phantom images produced during an inspection by a nondepartmental inspector shall be submitted to the Department at the time of submission of inspection reports.

2) The mammography phantom used for phantom image evaluation shall be composed of material that is equivalent to a nominal 4.5 centimeter compressed breast of average density (i.e., 50 percent adipose and 50 percent glandular tissue), and shall contain the following objects:

- A) Spherical masses, composed of phenolic plastic, with thicknesses of: 2.00 mm, 1.00 mm, 0.75 mm, 0.50 mm, and 0.25 mm;
- B) Specks, composed of aluminum oxide, with diameters of: 0.54 mm, 0.40 mm, 0.32 mm, 0.24 mm, and 0.16 mm;
- C) Fibers, composed of nylon, with thicknesses of: 1.56 mm, 1.12 mm, 0.89 mm, 0.75 mm, 0.54 mm, and 0.40 mm.

AGENCY NOTE: The Mammographic Accreditation Phantom Model 156, manufactured by Radiation Measurements, Inc., meets the above criteria and was chosen for use by the American College of Radiology's Mammography Accreditation Program.

- 3) Phantom images submitted to the Department shall be labeled with the:

- A) Name of the facility and machine reference number;
- B) Technique factors used to produce the image;
- C) Identification of the film processing equipment;
- D) Date the image was produced; and
- E) Name or inspector identification number of the person performing the test.

- 4) The mammography system shall be capable of producing images of the mammography phantom in which the following objects are visualized:

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- A) The three largest masses with thicknesses of 2.0 mm, 1.0 mm, and 0.75 mm.

- B) The three largest speck groups with diameters of 0.54 mm, 0.40 mm, and 0.32 mm.

- C) The four largest fibers with thicknesses of 1.56 mm, 1.12 mm, 0.89 mm, and 0.75 mm.

- 5) The Department shall evaluate the images produced during mammography phantom image evaluation and shall report the results of the evaluation to the facility.

k)

Quality Assurance - Each facility performing mammography procedures shall establish and maintain a quality assurance (QA) program. The QA program shall include a performance evaluation of the mammographic x-ray machine and the film processor. Each facility shall have available for daily use the mammography phantom specified in subsection (j)(2) above, a densitometer, and a sensitometer.

- 1) A diagnostic imaging specialist shall establish and provide administrative oversight over the quality assurance program.

- 2) The quality assurance program shall include but not be limited to the following:

- A) A list of names and qualifications of individuals responsible for:

- i) Administration of the QA program;
- ii) Performance of QA tests; and
- iii) Repairing or servicing the x-ray equipment.

- B) A QA protocol which includes the following:

- i) A description of the QA tests to be performed;
- ii) The frequency of each QA test;
- iii) Criteria of acceptability for each QA test; and
- iv) A description of actions to be taken if established criteria are not met.

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- 3) Quality assurance testing shall include, but not be limited to, the following tests, which shall be performed at the prescribed frequency, or more often as directed by the individual identified in subsection (k)(1) above.
- A) The film processor shall be subjected to a performance evaluation each day before the processing of clinical or phantom images. Evaluation shall include measurement of temperature and densitometer measurements of sensitometer-exposed film which has been processed in the film processor.
- B) Mammography systems shall be tested for image quality at intervals not to exceed one month. Image quality testing shall be performed using the mammography phantom specified in subsection (j)(2) above and the mammography phantom image evaluation protocol found in Section 360. Appendix C. In addition, the following requirements apply to image quality testing:
- i) The individual identified in subsection (k)(1) above shall provide such training as is necessary to the individual assigned to perform phantom image quality evaluation.
- ii) Image quality testing shall be repeated after any change in or replacement of components of the x-ray machine or film processor which may affect the image quality, as determined by the individual identified in subsection (k)(1) above.
- iii) Each phantom image produced shall be labeled with the information required in subsection (j)(3) above.
- iv) The registrant shall assure that the phantom image produced pursuant to this subsection meets the criteria of subsection (i)(4) above.
- v) Mammography systems not capable of producing a phantom image meeting the criteria of subsection (j)(4) above shall not be used to image human patients until a phantom image has been produced meeting the criteria of subsection (j)(4) above.

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- 4) After each relocation of a mobile mammography system, and prior to imaging of patients, the mammography system shall be evaluated as follows:
- A) The mammography system shall be tested for image quality using the mammography phantom image evaluation protocol and shall meet the criteria of subsection (k)(3)(B) above; or
- B) Radiation measurements shall be performed as follows:
- i) A diagnostic imaging specialist shall establish a protocol for measurement of the radiation output of the mammography system, including radiation measuring device to be used, procedures for performing the measurement, and the anticipated result of the measurement.
- ii) Measurements shall be performed using the technique factors that were used for the most recent phantom image evaluation (see subsection (k)(3)(B) above). If a change is made in the technique factors used for the measurements required in this subsection, the image quality shall be tested using the mammography phantom image evaluation protocol found in Section 360. Appendix C.
- AGENCY NOTE: If the mammography phantom image evaluation is performed using a phototimer, the diagnostic imaging specialist may specify appropriate technique factors that approximate those used by the phototimer for the measurements required in this Section.
- iii) If the radiation output measurement of subsection (C) below exceeds plus or minus 15 percent of the value established by the diagnostic imaging specialist in subsection (k)(4)(A) above, the system shall not be used to image human patients until the cause for the variation has been investigated and corrected.
- C) Records of radiation output measurements for mobile mammography systems shall be maintained at the location of the mammography system for a period of not

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Less than one inspection cycle (see 32 Ill. Adm. Code Section 410.60(d)).

AGENCY NOTE: The Department recommends mobile mammography systems be tested for image quality after each relocation as noted in subsection (A) above. The Health Care Financing Administration requires image quality testing of mobile mammography systems after relocation and before imaging of patients.

- 5) A diagnostic imaging specialist shall conduct a review of the quality assurance program each year. Such review shall include evaluation of the results of quality assurance testing.

AGENCY NOTE: In addition to the quality assurance testing required in this Section, facilities performing mammography should establish a quality assurance program that provides for analysis of repeated mammography exams, testing of film-screen contact for all cassettes used to produce clinical images, testing of film fogging in the darkroom, and measurement of the force applied by the compression device in both manual and power modes (if applicable).

1) Records -

- 1) The registrant shall maintain and have available for review at the facility, records of quality assurance testing performed as required in subsection (k) above.
- A) Records of film processor performance evaluation shall contain the date the test was performed, identification of the person performing the test, and the results of the test including densitometry measurements.
- B) Records of image quality testing shall include the mammography phantom image, labeled with the information required in subsection (j)(3) above, and the results of the mammography phantom image evaluation including the number, type, and size of phantom objects visualized.
- C) The registrant shall maintain at the facility, for a period of at least one inspection cycle (see 32 Ill.

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Adm. Code 410.60(d)), the records specified in subsections (1)(A) and (1)(B) above.

- 2) Unless they are transferred directly to the patient or the patient's physician, mammography images or films shall be retained by the provider of the mammography service for a minimum of 60 months. Mammography images or films transferred to a patient's physician shall be retained by the physician for a minimum of 60 months. These retention periods are a minimum and shall not reduce any other medical record retention requirements established by statute or regulation.

(Source: Amended at ___ Ill. Reg. ___, effective _____)

Section 360.75 Computed Tomography (CT) Systems

a) Requirements for Equipment

1) Termination of Exposure

- A) In the event of equipment failure affecting data collection, means shall be provided to terminate the x-ray exposure automatically, either by de-energizing the x-ray source or by shuttering the x-ray beam, through the use of either a backup timer or devices which monitor equipment function.
- B) A visible signal shall indicate when the x-ray exposure has been terminated through the means required by subsection (a)(1)(A) above.
- C) The operator shall be able to terminate the x-ray exposure at any time during a scan, or series of scans, of greater than one-half second duration.
- 2) Tomographic Plane Indication and Alignment
- A) Means shall be provided to permit visual determination of the location of a reference plane. This reference plane can be offset from the location of the tomographic planes.
- B) If a device using a light source is used to satisfy subsection (a)(2)(A) above, the light source shall provide illumination levels sufficient to permit

visual determination of the location of the tomographic plane or reference plane under ambient light conditions of up to 500 lux or 45 footcandles.

- c) The total error in the indicated location of the tomographic plane or reference plane shall not exceed 5 millimeters.

- d) The deviation of indicated scan increment versus actual increment shall not exceed plus or minus 1 millimeter with a typical patient mass resting on the patient support device. The patient support device shall be moved incrementally from a typical starting position to the maximum incremental distance or 30 centimeters, whichever is less, and then returned to the starting position. If the CT system has the capability of variable gantry angles, the compliance measurements shall be performed with the CT gantry positioned at zero degrees.

- 3) Beam-On and Shutter Status Indicators - The CT x-ray control panel and gantry shall provide visual indication whenever x-rays are produced and, if applicable, whether the shutter is open or closed.

- 4) Technique Indicators - The CT x-ray control panel shall provide visual indication of the technique factors, tomographic section thickness, and scan increment prior to the initiation of a scan or a series of scans.

b) Facility Design Requirements

- 1) The control panel shall be located behind a protective barrier.

- 2) Communication - Provision shall be made for two-way aural communication between the patient and the operator at the control panel.

- 3) Viewing Systems - Windows, mirrors, closed-circuit television, or an equivalent system shall be provided to permit continuous observation of the patient during irradiation and shall be located so that the operator can observe the patient from the control panel.

- c) Radiation dose measurements shall be performed by a diagnostic

imaging specialist on each CT x-ray system. Such measurements shall be specified in terms of the multiple scan average dose (MSAD), using a head phantom and the facility's technique factors most frequently used for a CT examination of the head, and shall be performed:

- 1) At the time of the inspection required pursuant to 32 Ill. Adm. Code 410, and at intervals specified by a diagnostic imaging specialist and after any change or replacement of components which, in the opinion of the diagnostic imaging specialist, could cause a change in the radiation output.
- 2) With a dosimetry system that has been calibrated within the preceding 12 months. The calibration of such system shall have no more than a three step (tertiary) calibration, traceable to the National Institute of Standards and Technology.

- 3) Using the computed tomography dose measurement protocol found in Section 360.Appendix D.

AGENCY NOTE: The Department recognizes that other phantoms and protocols are available to provide accurate dose measurements as specified in this Section. The Department will consider use of such phantoms and protocols as satisfying this Section if the intent of the regulation is met.

- d) Quality assurance procedures shall be conducted on each CT system and shall meet the following requirements:

- 1) The quality assurance procedures shall be in writing and shall have been developed by a diagnostic imaging specialist. Such procedures shall include, but need not be limited to, the following:

- A) Specifications of the tests that are to be performed, including instructions to be employed in the performance of those tests; and
- B) Specifications of the frequency at which tests are to be performed, the acceptable tolerance for each parameter measured, and actions to be taken if tolerances are exceeded.

- 2) Quality assurance procedures shall include acquisition of

images using a CT phantom which has the capability of providing an indication of the resolution capability of the system.

AGENCY NOTE: The CT phantom used for quality assurance procedures should have the capability of providing an indication of contrast scale, noise, nominal tomographic section thickness, the resolution capability of the system for low and high contrast objects, and relative densities (CT numbers) for water or other reference material.

e) The registrant shall maintain at the facility written records of the radiation dose measurements and quality assurance testing performed, as required in subsections (c) and (d) above, for inspection by the Department for a period of at least one inspection cycle (see 32 Ill. Adm. Code 410.60(d)). Such records shall include, but need not be limited to, the following:

- 1) The date of the test and identification of the person performing the test;
- 2) Identification of the type of testing that was performed; and
- 3) Notation of whether the results of the testing were within the parameters established by the diagnostic imaging specialist.

AGENCY NOTE: The Department recommends that the registrant retain the results of quality assurance testing in the form of photographic copies of the images obtained from the image display device, or images stored in digital form on a storage medium compatible with the CT x-ray system. Images retained to fulfill the requirements of this subsection (e) should be labeled with the information required in subsections (e)(1) through (e)(3) above.

f) Operating Procedures - Information shall be available at the control panel regarding the operation of the system. Such information shall include the following:

- 1) The dates and results of the latest radiation dose measurements and quality assurance testing;
- 2) Written quality assurance procedures, as required in subsection (d)(1) above;

- 3) The distance in millimeters between the tomographic plane and the reference plane if a reference plane is utilized.

(Source: Added at ___ Ill. Reg. ___, effective _____)

Section 360.80 Photofluorographic Systems (Repealed)

In addition to the provisions of Sections 360.10, 360.30 and 360.40, the requirements of this Section apply to x ray equipment and associated facilities used for photofluorography.

AGENCY NOTE: Photofluorography is frequently called mass miniature radiography. This is the method usually employed in projects such as chest x rays for tuberculosis control. In this technique the image of a fluorescent screen is recorded on film by means of a camera. The film used is of small size. Some units use cut film 4 inches by 4 inches in size. More commonly, roll film is used; the film is usually 70 mm wide, but may be 90 or 100 mm.

- a) Beam Limitation—Photofluorographic systems shall be provided with means to limit the x ray field at the plane of the image receptor to dimensions no greater than those of the image receptor.
- b) Operator Control Station—Criteria specified in Section 360.60(c) shall apply.
- c) Exposure Switch Arrangement—Criteria Specified in Section 360.60(d) shall apply.
- d) Timers—
 - 1) Means shall be provided to terminate the exposure at a preset time interval, preset product of current and time, preset number of pulses, or preset radiation exposure to the image receptor. Also, it shall not be possible to make an exposure when the timer is set to a zero or off position if either position is provided.
 - 2) In addition, for certified systems, termination of exposure shall cause automatic resetting of the timer to its initial setting or to zero.
- e) Ancillary Personnel Protection—Other than the patient, individuals whose presence is required in the radiographic room during an x ray examination shall be protected from scatter radiation by protective aprons of not less than 0.25 millimeter

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lead equivalent or whole body protective barriers.

- f) ~~Photofluorographic Exposure Limit~~ The exposure to an average patient shall not exceed 200 milliroentgens per photofluorograph (See Appendix A for measurement protocol).

AGENCY NOTE: The patient exposure for this procedure should not exceed 100 milliroentgens per photofluorograph.

- g) ~~Medical Supervision~~ The supervising physician shall outline responsibilities regarding the photofluorographic operating and patient screening procedures. The procedures shall be submitted to this Department in writing prior to utilization of the equipment. Operating and patient screening procedures shall include at a minimum the following:

- 1) ~~Operator qualifications,~~
- 2) ~~Operator supervision,~~
- 3) ~~Methods of operating x ray machines,~~
- 4) ~~Patient age limit,~~
- 5) ~~Frequency of exam,~~
- 6) ~~Pregnancy cases, etc.~~

(Source: Repealed at Ill. Reg. __, effective _____)

Section 360.90 Intraoral Dental Radiographic Systems

In addition to the provisions of Sections 360.10, 360.30 and 360.40, the requirements of this Section apply to x-ray equipment and associated facilities used for intraoral dental radiography. Refer to Section 360.50 for requirements for dental fluoroscopic systems.

- a) ~~Beam Limitation~~ X ray systems designed for use with an intraoral image receptor shall be provided with means to limit the x ray field at the patient's face to the smallest area which is clinically necessary. The x ray field striking the patient's face shall not exceed a circle 7.5 centimeters (3 inches) in diameter. Even though the beam shall be containable within a circle 7.5 centimeters in diameter, it may be a rectangular configuration.

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- 1) ~~Beam limitation shall be accomplished by a position indicating device that is operated and shielded. The device shall provide the same degree of shielding as the tube housing assembly.~~

- 2) ~~The position indicating device shall provide a SSD of not less than 18 centimeters (7 inches) for systems operated above fifty (50) kVp or 10 centimeters (4 inches) for systems operated at fifty (50) kVp or below.~~

ba) ~~Timers General Requirements -~~

- 1) ~~Timers - Means shall be provided to terminate the exposure at a preset time interval, preset product of current and time, preset number of pulses, or preset radiation exposure to the image receptor. Also, it shall not be possible to make an exposure when the timer is set to a zero or off position if either position is provided.~~

- 2) ~~In addition, for certified systems, termination of exposure shall cause automatic resetting of the timer to its initial setting or to zero. X-Ray Control - An x-ray control shall be incorporated into each x-ray system such that an exposure can be terminated by the operator at any time except for exposures of one-half (1/2) second or less.~~

- e) ~~3) Exposure Switch Arrangement/Operator Protection - The exposure switch shall be a dead-man switch, and shall be arranged so that the operator can be behind a protective barrier or at least 6 feet from the patient and the tube housing well away from the useful beam during an exposure.~~

AGENCY NOTE: The Department recommends that whenever practicable, the x-ray operator stand behind a protective barrier or be provided with a protective apron of not less than 0.25 millimeter lead equivalent.

- d) ~~Ancillary Personnel Protection - Other than the operator and the patient, individuals whose presence is required in the room during an x-ray examination shall be protected from stray radiation by protective aprons of not less than 0.25 millimeter lead equivalent or a protective barrier.~~

b) ~~Additional Requirements for Dental Intraoral Systems -~~

- 1) ~~Source to Skin Distance (SSD) - X-ray systems designed for~~

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use with an intraoral image receptor shall be provided with means to limit the SSD to not less than:

- A) 18 centimeters if operable above 50 kVp; or
B) 10 centimeters if operable at 50 kVp and below.

2) Beam Limitation - Radiographic systems designed for use with an intraoral image receptor shall be provided with means to limit the x-ray beam such that the x-ray field, at the minimum SSD, shall be containable in a circle having a diameter of no more than 7 centimeters.

e) 3)

Dental Radiographic Exposure Limits (Single Film) - The entrance exposure to an adult patient for a routine intraoral bitewing exam shall not exceed the maximum upper limits of the range specified for the kVp used, in table C, the table below. Exposures are specified as free-in-air exposures without backscatter.

Tube Potential (kVp)	"D" Speed Film (milliroentgens)	"E" Speed Film (milliroentgens)
50	400 - 550	220 - 280
55	370 - 520	190 - 250
60	320 - 470	165 - 220
65	270 - 415	145 - 190
70	230 - 360	125 - 165
75	195 - 310	105 - 140
80	160 - 260	85 - 115
85	140 - 235	75 - 105
90	120 - 210	70 - 95
95	100 - 195	60 - 85
100	90 - 180	50 - 70

Linear extrapolation or interpolation shall be used for an x-ray tube potential (kVp) not listed in the table.

AGENCY NOTE: The exposure ranges specified in the above table were empirically determined by a panel of dentists in a U.S. FDA study. The lower limit of each range represents the minimum exposure which was found to be necessary to produce a diagnostic quality radiograph when a dental phantom and adequate film development procedures were used for speed group "D" film and speed group "E" film, for each kVp listed.

- 4) The kVp shall be measured at the time the compliance measurement is made pursuant to subsection (3) above to determine the correct exposure range to be applied.

c) Beam Limitation Requirements for Dental Extraoral Systems -

- 1) Dental rotational panoramic systems shall be provided with means to limit the x-ray beam to the imaging slit in the transverse axis and shall not exceed a total of 0.5 inch larger than the imaging slit in the vertical axis.
- 2) All other dental extraoral radiographic systems (e.g. cephalometric) shall be provided with means to both size and align the x-ray field so that it does not extend beyond any edge of the image receptor by more than 2 percent of the SID.
- d) Additional Requirements for Dental Radiography -
- 1) Patient and film holding devices shall be used when the techniques permit;
- 2) The tube housing and the position indicating device shall not be hand-held during an exposure;
- 3) The x-ray system shall be operated in such a manner that the useful beam at the patient's skin does not exceed the criteria specified in subsection (b)(2) above.
- 4) Personnel Protection - The operator shall be behind a protective barrier or be provided with a protective apron of not less than 0.25 millimeter lead equivalent during an exposure. Individuals whose presence is required in the room during an x-ray examination shall be protected from

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leakage and scatter radiation by protective aprons of not less than 0.25 millimeter lead equivalent or a protective barrier.

AGENCY NOTE: Strict adherence to radiation protection practices should minimize personnel radiation exposure and may eliminate the need for personnel radiation monitoring. The requirements for personnel radiation monitoring are specified in 32 Ill. Adm. Code 340.2020.

(Source: Amended at ___ Ill. Reg. ___, effective _____)

Section 360.100 Veterinary Radiographic Systems

In addition to the provisions of Sections 360.10, 360.30 and 360.40, the requirements of this Section apply to x-ray equipment and associated facilities used for radiography with veterinary systems.

a) Beam Limitation - The useful beam shall be limited to the area of clinical interest. The size of the image receptor used for each radiographic projection shall be consistent with the objectives of the examination.

1) Limitation Criteria - Means shall be provided to limit the x-ray field in the plane of the image receptor so that the field does not exceed each dimension of the image receptor by more than 2 percent of the SID when the axis of the x-ray beam is perpendicular to the plane of the image receptor.

2) Means shall be provided to align the center of the x-ray field with the center of the image receptor to within 2 percent of the SID.

3) The requirements of subsection (a)(1) above may be met with:

A) A system that meets an adjustable collimator with a field defining light, meeting the requirements specified in Section 360.60(a)(1); or

B) An assortment of removable, fixed-aperture, beam-limiting devices sufficient to meet the requirement for each combination of image receptor size and SID for which the unit is used, with each such device having permanent, clearly legible markings in inches and/or centimeters, to indicate the image receptor size and SID for which it is designed; or

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C) A beam-limiting device having multiple fixed apertures sufficient to meet the requirement for each combination of image receptor size and SID for which the unit is used. Permanent, clearly legible markings, in inches and/or centimeters, shall indicate the image receptor size and SID for which each aperture is designed and shall indicate which aperture is in position for use.

4) SID Indication -

A) Means shall be provided to indicate the SID.

B) SIDs shall be indicated in inches and/or centimeters and the measured SID shall correspond to the indicated value to within 2 percent.

b) Exposure Switch Arrangement -

1) The exposure control switch shall be arranged so the operator can be at least 6 feet from the patient animal, the x-ray tube, and well away from the useful beam.

2) All individuals operating veterinary x-ray systems shall wear protective aprons of not less than 0.25 millimeter lead equivalent or shall be protected from scatter radiation by a protective barrier.

c) Timers Radiation Exposure Control Devices -

1) Means shall be provided to terminate the exposure at a preset time interval, preset product of current and time, preset number of pulses, or preset radiation exposure to the image receptor. Also, it shall not be possible to make an exposure when the timer is set to a zero or off position if either position is provided.

2) In addition, for certified systems, termination of exposure shall cause automatic resetting of the timer to its initial setting or to zero. The exposure switch shall be a dead-man switch.

d) Radiation from Capacitor Energy Storage X-ray Equipment in Standby Status - Radiation emitted from the x-ray tube when the exposure switch or timer is not activated shall not exceed a rate of 2 milliroentgens per hour at 5 centimeters from any accessible

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surface of the diagnostic source assembly, with the beam limiting device fully open.

- e) Ancillary Personnel Protection—Individuals whose presence is required during an x-ray examination shall be protected from scatter radiation by protective aprons or gowns of not less than 0.25 millimeter lead equivalent or whole body protective barriers.
- f) Veterinary Fluoroscopic Systems—All provisions of fluoroscopic, computed tomography, and therapy systems shall meet the requirements specified in Section Sections 360.50, 360.75, 360.110 and 360.120, respectively, except that the requirements pertaining to aural communication specified in Sections 360.75(b)(1), 360.110(a)(8) and (e)(5), and 360.120(a)(6) and (g)(1)(H), need not be satisfied unless a human is used to hold the animal apply except subsections (b) and (1).

e) Additional Requirements for Veterinary X-Ray Systems -

- 1) All individuals whose presence is required during an x-ray examination shall be protected from scatter radiation by protective aprons or gowns of not less than 0.25 millimeter lead equivalent or whole body protective barriers.
- 2) All exams and retakes shall be ordered by the veterinarian.
- 3) Unless required to restrain an animal, the operator shall stand at least 6 feet away from the useful beam and the animal during radiographic exposures.
- 4) No individual, other than the operator, shall be in the x-ray room or area while exposures are being made unless such individual's assistance is required.
- 5) When an animal must be held in position during radiography, mechanical supporting or restraining devices shall be used when technique permits.
- 6) When a person is required to hold an animal during a radiographic procedure, the following restrictions apply:
 - A) The individual shall be protected with appropriate shielding devices, such as protective gloves and apron, and the person shall be so positioned that no part of his/her body except hands and arms will be struck by the useful beam.

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- B) The exposure of any individual who holds animals shall be monitored by use of a personnel dosimetry device.

(Source: Amended at Ill. Reg. __, effective __)
Section 360.110 Therapeutic X-Ray Installations Therapy Systems Operating Below 1 MeV

In addition to the provisions of Sections 360.10, 360.20 and 360.30, the requirements of this Section apply to x-ray therapy systems and associated facilities operating at energies less than 1 MeV.

a) Equipment Facility Design

- 1) Tube Housing— A therapeutic radiological physicist shall be consulted in the design of an x-ray therapy installation.
 - A) The protective tube housing shall be of therapeutic type, except in the case of "Contact" X-Ray Therapy (See Section 360.120(a)).
 - B) A therapeutic type protective tube/target housing is defined as follows:
 - i) For x-ray therapy equipment not capable of operating at 500 kVp or above, the following definition applies: An x-ray tube housing so constructed that the leakage radiation at a distance of one meter from the source does not exceed one roentgen in an hour when the tube is operated at its maximum rated continuous current for the maximum rated tube potential.
 - ii) For x-ray therapy equipment capable of operating at 500 kVp or above, the following definition applies: An x-ray tube housing so constructed that the leakage radiation at a distance of one meter from the source does not exceed either one roentgen in an hour or 0.1 percent of the useful beam dose rate at one meter from the source, whichever is the greater when the machine is operated at its maximum rated continuous current for the maximum rated accelerating potential.
 - iii) In either case, small areas of reduced protection are acceptable provided the average

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reading over any 100 square centimeter area at one meter distance from the source does not exceed the values given above.

- 2) Collimation—The useful beam shall be collimated by means of cones, diaphragms or lead coverings to reduce the useful beam striking a patient to the smallest area which is clinically necessary. Shielding requirements —
- A) Each x-ray therapy installation shall be provided with such primary and secondary barriers as are necessary to assure compliance with 32 Ill. Adm. Code 340.1010, 340.1040 and 340.1050.
- B) For all x-ray therapy systems capable of operating above 150 kVp installed after the effective date of this Part, facility design information shall be submitted to the Department for review prior to installation of the x-ray therapy system. Information submitted to the Department shall include, but need not be limited to, the following:
- i) Name and address of the planned installation.
 - ii) Name, address, and telephone number of the therapeutic radiological physicist who was consulted in the design of the installation.
 - iii) A scale drawing that includes the location of the therapy system, control panel, and doors to the room.
 - iv) The structural composition and thickness of all walls, doors, partitions, floor, and ceiling of the installation.
 - v) The occupancy of areas adjacent to the installation.
 - vi) Calculations that demonstrate the adequacy of the amount of shielding specified for each primary and secondary protective barrier.
 - vii) Projected weekly dose rates in areas adjacent to the installation.

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- C) Facilities shall meet the shielding criteria of National Council on Radiation Protection Report No. 102, entitled "Medical X-Ray, Electron Beam and Gamma-Ray Protection for Energies up to 50 Mev", published June 30, 1989, exclusive of subsequent amendments or editions. A copy of this report is available for inspection at the Department of Nuclear Safety, 1035 Outer Park Drive, Springfield, IL 62704. Copies of this report may also be obtained from NCRP, 7910 Woodmont Avenue, Bethesda, MD 20814.

AGENCY NOTE: The possibility of later operating at greater workloads or future changes in occupancy of adjacent areas should be considered in the original design.

- 3) Filtration—The filter system shall conform to recommended practices as defined in the current National Council on Radiation Protection Report No. 33, entitled "Medical X-Ray and Gamma Ray Protection for Energies up to 10 Mev, Equipment Design and Use".
- 4) Filtration Indicator—A filter indication system shall be used on all therapy machines using changeable filters. It shall be designed so as to permit easy recognition of any added filter in place. It shall indicate, from the control panel, the presence or absence of any filter.
- 5) Tube/Aperture Alignment—The x-ray tube shall be so mounted that it cannot turn or slide with respect to the housing aperture.
- 6) Tube Head Stability—Methods shall be provided to immobilize the tube housing during stationary portal treatment.
- 7) Preset Exposure Termination Device—A device (e.g., an automatic timer, exposure meter or dose meter) shall be provided to terminate the exposure after a preset time interval or preset exposure or dose limit. Methods shall be provided for the operator to terminate the exposure at any time.
- 8) Shutter Position Indicator—Equipment utilizing shutters to control the useful beam shall have a shutter position indicator on the control panel.

- 9) Positive Indicator - ~~The control panel shall include a device (usually a milliammeter) which will give positive indication of the production of x-rays whenever the x-ray tube is energized.~~
- 103) Interlock - ~~X-ray therapy systems operating at greater than 150 kVp or greater. A reliable shall have an interlock shall be installed on each door of the therapeutic therapy room. This The interlock shall be wired into the electrical circuit in such a manner that when the door is opened, for any reason, the generation of x-rays exposure will automatically be terminated so that and irradiation can be resumed only by manually resetting the controls on the control panel after the door is closed.~~
- 114) Door Fastening Mechanism Doors - ~~If required, the door fastening mechanism The doors to the therapy room shall be designed and installed so that the door can be opened to allow opening from the inside in case of emergency at all times, and shall be capable of being opened manually.~~
- 125) Warning Lights - ~~Treatment X-ray therapy systems operating above 150 kVp, and all therapy rooms to which access is possible through more than one entrance shall be provided with flashing warning lights in a readily observable position near the outside of all access doors. The warning lights which will shall indicate when the useful beam is "on" on.~~
- 6) Operator and control position -
- A) X-ray therapy systems operating at 150 kVp and below - ~~The control panel and operator shall be located either outside the therapy room or behind a protective barrier within the room.~~
- B) X-ray therapy systems operating above 150 kVp - ~~The control panel and operator shall be located outside the therapy room.~~
- 7) Viewing system - ~~Windows, mirrors, closed-circuit television or an equivalent system shall be provided to permit continuous visual observation of the patient during irradiation and shall be located so that the operator can observe the patient from the control panel.~~

AGENCY NOTE: When the primary viewing system is electronic, a back-up system should be available for use in the event of failure of the primary system in order to ensure compliance with the requirements of subsection (e)(5) below.

- 8) Communication - The facility design shall permit two way aural communications between the patient and the operator at the control panel.
- 9) Signs required by 32 Ill. Adm. Code 340.2030 shall be posted in the facility.
- b) Operating Procedures- Equipment Requirements -
- 1) All new facilities, and existing facilities not previously surveyed, shall have a protection survey made by, or under the direction of a qualified expert. This shall also be done after any change in the facility which might produce a radiation hazard. The expert shall report his findings in writing to the person in charge of the facility and a copy of this report shall be transmitted to the Department.
- Leakage radiation - When the tube is operated at its maximum rated continuous current for the maximum rated tube potential, the leakage radiation shall not exceed the value specified in the table below at the distance specified in the table for the classification of that x-ray system.
- Radiation measurements shall be averaged over an area up to, but not exceeding, 100 square centimeters.

<u>X-Ray System</u>	<u>Leakage Limit</u>	<u>Measurement Location</u>
<u>Contact Therapy</u>	<u>0.1 R/hr.</u>	<u>5 centimeters from the tube housing</u>
<u>0 - 500 kVp</u>	<u>1.0 R/hr.</u>	<u>1 meter from the source</u>
<u>500 kVp - 999 kVp</u>	<u>0.1 percent of useful beam or 1.0 R/hr.</u>	<u>1 meter from the source</u>

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2) Beam limiting devices -

- A) Permanent fixed diaphragms or cones used for limiting the useful beam shall provide the same or a higher degree of protection as required for the tube housing assembly.
- B) Removable beam limiting devices shall, for the portion of the useful beam to be blocked by these devices, transmit not more than one percent of the useful beam at the maximum kilovoltage and maximum treatment filter. This requirement does not apply to auxiliary blocks or materials placed in the useful beam to shape the useful beam to the individual patient.
- C) Adjustable beam limiting devices installed after the effective date of this Part shall meet the requirements of subsection (b)(2)(B) above.
- D) Adjustable beam limiting devices installed on or before the effective date of this Part shall, for the portion of the x-ray beam to be blocked by these devices, transmit not more than five percent of the useful beam at the maximum kilovoltage and maximum treatment filter.

3) Filter system - The filter system shall be designed so that:

- A) The filters are securely positioned and will not become dislodged when the machine is positioned at any possible orientation.
- B) The radiation dose at one meter from the filter insertion slot opening does not exceed 1 roentgen per hour when the machine is operated at its maximum current and maximum tube potential.
- C) Each filter is labeled with its composition and thickness (for wedge filters, the wedge angle and maximum design field size shall appear on the wedge or wedge tray).
- D) If the x-ray therapy systems uses changeable filters there is a filter indication system which permits recognition of any added filter in place and

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indicates, from the control panel, the presence of a particular filter or absence of any filter; and

- E) For x-ray therapy systems installed after the effective date of this Part, an interlock prevents irradiation if the selected filter is not installed.
- 4) Beam monitor system - X-ray therapy systems operating above 150 kVp, manufactured after the effective date of this Part, shall be provided with a beam monitor system that:
 - A) Has the detector of the monitor system interlocked to prevent incorrect positioning of the detector.
 - B) Has a display, at the control panel, from which the dose at a reference point in soft tissue can be calculated.
 - C) Maintains the display at the control panel until intentionally reset to zero; and
 - D) Is designed so that, in the event of a system malfunction or electrical power failure, the display at the control panel maintains information from which the dose administered to a patient prior to the system malfunction or power failure can be accurately determined.
- 5) Tube/aperture alignment - The x-ray tube shall be mounted so that it cannot turn or slide with respect to the housing aperture.
- 6) Tube housing stability - The tube housing shall remain stable during treatment unless tube housing movement is a designed function of the system.
- 7) Source to skin distance (SSD) indication -
 - A) Means shall be provided to indicate the SSD.
 - B) The SSD shall be indicated in inches or centimeters and the measured SSD shall correspond to the indicated value to within 2 percent.
- 8) Timer - A timer, which has a display at the control panel, shall be provided and shall meet the following requirements:

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- A) The timer shall be activated with the production of radiation;
- B) For systems equipped with a shutter mechanism to control irradiation, the timer shall be activated when the shutter is opened;
- C) The timer shall terminate irradiation when a pre-selected time has elapsed;
- D) The timer shall permit presetting and determination of exposure times at least as short as 1 second; and
- E) The timer shall not permit an exposure if the operator has not selected a time for the exposure.

AGENCY NOTE: The control panel should be equipped with a count-up timer to serve as a back-up to the control timer.

- 9) Control panel functions - The control panel, in addition to the displays required in other provisions of this Section, shall have:

- A) An indication of whether x-rays are being produced;
- B) A means for indicating x-ray tube potential and current; and
- C) A means for terminating an exposure at any time.

- 10) Shutters - Equipment that is provided with shutters shall meet the following requirements:

- A) The shutters shall have a lead equivalency not less than that of the tube housing assembly;
- B) The shutter shall be controlled electrically by the operator at the control panel; and
- C) An indication of shutter position shall appear at the control panel.

- 11) Multiple tubes - Control panels capable of energizing more than one x-ray tube shall meet the following requirements:

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- A) It shall be possible to energize only one x-ray tube at any time;
- B) There shall be an indication at the control panel identifying which x-ray tube is energized; and
- C) There shall be an indication at the tube housing assembly when that tube is energized.

- 12) Low-filtration x-ray tubes - Each x-ray therapy system equipped with a beryllium window shall be clearly labeled as such upon the tube housing assembly and at the control panel.

C)

Radiation Protection Survey - A radiation protection survey shall be performed by a therapeutic radiological physicist on each x-ray therapy system. The registrant shall maintain at the facility a copy of the most recent radiation protection survey report for review by the Department. Radiation protection surveys shall meet the following additional requirements:

- 1) X-ray therapy systems installed after the effective date of this Part shall have a radiation protection survey performed by a physicist before the therapy system is first used for irradiation of a patient.
- 2) For all x-ray therapy systems, a radiation protection survey shall be performed by a physicist after any change in the x-ray therapy system or facility that might produce a radiation hazard. Such survey shall be performed before the therapy system is used to treat patients.
- 3) Survey reports shall include, but need not be limited to, the following:
 - A) A diagram of the facility which details building structures and the position of the control panel, x-ray therapy system and associated equipment;
 - B) A description of the x-ray therapy system including the manufacturer, model number, and range of kilovolt potential;
 - C) A description of the instrumentation used to determine radiation measurements, including the date and source

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of the most recent calibration for each instrument used;

D) Conditions under which radiation measurements were taken; and

E) Survey data including:

- i) Projected weekly dose equivalent in areas adjacent to the therapy room; and
- ii) A description of workload, use and occupancy factors employed in determining the projected weekly dose equivalent.

4) The registrant shall retain a copy of the radiation protection survey report and a copy of the report shall be provided to the Department within 30 days of completion of the survey.

5) Any deficiencies detected during the radiation protection survey that would constitute or result in a violation of 32 Ill. Adm. Code 340 shall be corrected prior to using the machine for treatment of patients.

26) The facility shall be operated in compliance with any limitations indicated by the therapeutic radiological physicist as a result of the radiation protection survey required by the Department.

3) When a patient must be held in position for radiation therapy, mechanical supporting or restraining devices shall be used whenever feasible.

4) Attendants—Below 120 kVp—No person, other than the attending physician or his assistant, shall be in the treatment room during exposure, except if in the opinion of the physician such attendance in the room is clinically necessary or desirable. If a person is required to hold or support the patient, no portion of such person shall be in the useful beam and such person shall be protected as much as is practicable from scattered radiation. The exposure of any person used for this purpose shall be monitored and a record maintained.

5) Attendants—120 kVp or Greater—No person except the

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attending physician who works with ionizing radiation, shall be in the treatment room during exposure.

6) Communication with Patient—The control panel shall be arranged in such a manner that the operator can maintain aural and visual communication with the patient. Both the patient and the control panel shall be under observation of the operator during the entire exposure.

7d) The output of each therapeutic x-ray machine Calibrations and Quality Assurance Checks—Each x-ray therapy system installed after the effective date of this Part therapeutic x-ray machine shall be calibrated by, or under the direction of a qualified expert therapeutic radiological physicist before the therapy system is first used for irradiation of a patient. the calibration shall be repeated after any change in or replacement of components of the x-ray output. Check calibrations Quality assurance checks shall be made by a therapeutic radiological physicist at least once a year thereafter, and be maintained by the registrant. Records of calibration shall be posted at the controls and shall include the date of calibration and the written signature of the qualified expert.

1) The calibration of the x-ray therapy system shall include, but need not be limited to, determination of the following:

A) The radiation output, expressed as exposure rate in air or dose rate in tissue, as a function of distance, field size, x-ray tube potential and current, filters and treatment applicators used;

B) The half value layer for each kilovoltage setting and filter combination used;

C) The degree of congruence between the radiation field and the field indicated by each beam limiting device; and

D) An evaluation of the uniformity of the radiation field.

2) Quality assurance checks shall include, but need not be limited to, determination of the following:

A) The radiation output for a set of operating conditions

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specified by the therapeutic radiological physicist; and

- B) The coincidence of the radiation field and the field indicated by the beam limiting device.

AGENCY NOTE: Quality assurance checks should be performed at a frequency which is appropriate for the particular therapy system, as determined by the therapeutic radiological physicist and based on the history of stability of the radiation output of the machine. A suggested frequency is one that would result in a quality assurance check being performed at least once during a typical patient's course of treatment.

- 3) Whenever service or maintenance is performed on the therapy system, a therapeutic radiological physicist shall be notified and shall determine whether a calibration or quality assurance check is necessary to verify the characteristics of the beam.

- 4) The therapeutic radiological physicist shall establish criteria for quality assurance check measurements and shall determine corrective actions to be implemented if the criteria are exceeded.

- 5) Measurements of the radiation output of the x-ray therapy system shall be performed using a dosimetry system that has been calibrated by a calibration laboratory accredited by the American Association of Physicists in Medicine (AAPM). Calibration of the dosimetry system shall have been performed using a radiation beam of comparable half value layer to the x-ray system to be calibrated. The dosimetry system shall meet one of the two conditions below:

- A) The calibration of the dosimetry system shall have been performed within the previous two years and after any servicing that may have affected the calibration of the dosimetry system; or

- B) The dosimetry system shall have been calibrated within the previous four years and shall have been subjected to a protocol which provides for checks of dosimetry constancy and provides for corrective action when

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results deviate by more than 2 percent from the expected values.

- 6) The registrant shall maintain at the facility records of machine calibrations, quality assurance checks and instrument calibrations for inspection by the Department for a period of five years. Records to be maintained by the registrant shall include, but need not be limited to, the following:

A) Records of machine calibration and quality assurance check shall include identification of the x-ray therapy system, radiation measurements, the date the measurements were performed, and the signature of the therapeutic radiological physicist who performed the measurements.

B) Instrument calibration records shall include the date of the last calibration and identity of the calibration laboratory. If a dosimetry system has been subjected to a protocol as described in subsection (d)(5)(B) above, records shall be maintained that show the date and results of each constancy check performed on the system.

e) Structural Shielding-

- 1) Primary protective barriers shall be provided for any area that the useful beam may strike when using the largest possible diaphragm opening. Such barriers should extend at least one foot beyond the useful beam for any possible orientation.*

- 2) Secondary protective barriers shall be provided for all occupied areas exposed to leakage and scattered radiation.*

*shall also conform with criteria outlined in NCRP Report No. 49 entitled "Structural Shielding Design and Evaluation for Medical Use of X Ray and Gamma Rays of Energies Up to 10 Mev."

e) Operating Procedures -

- 1) No x-ray therapy system shall be left unattended unless the system is secured against unauthorized use.

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2) When a patient must be held in position for radiation therapy, mechanical supporting or restraining devices shall be used.

3) Other than the patient, no individual shall be in the therapy room unless such individual is protected by a barrier sufficient to meet the requirements of 32 Ill. Adm. Code 340.

4) Other than the patient, no individual shall be in the therapy room during exposures from x-ray therapy systems operating above 150 kVp.

5) The x-ray therapy system shall not be used for treatment of patients unless the operator can maintain visual observation of the patient and audible communication with the patient.

6) On contact therapy systems, a shield of at least 0.5 millimeter lead equivalency at 100 kVp shall be positioned over the entire useful beam exit port during periods when the tube is energized and the beam is not being applied to a patient.

7) The tube housing assembly shall not be held by hand during operation unless the x-ray therapy system is designed to require such holding and the peak tube potential of the system does not exceed 50 kilovolts. In such cases, the person holding the tube shall wear protective gloves and apron of not less than 0.5 millimeter lead equivalency at 100 kVp.

(Source: Amended at ___ Ill. Reg. ___, effective _____)

Section 360.120 Special Requirements for X Ray Therapy Equipment Operated at Potential of Fifty (50) kVp and Below Therapy Systems Operating at 1 MeV or Greater

a) Equipment.

1) All provisions of Section 360.110(a) apply except paragraphs (a)(10), (11) and (12), and except in the case of "Contact" x-ray tubes, where the leakage radiation at the surface of the housing shall not exceed 0.1 R/hr.

2) Preset Timer—Automatic timers shall be provided which will permit accurate presetting and termination of exposures as

short as one second.

b) Operating Procedures.

1) In the therapeutic application of apparatus constructed with beryllium or other low filtration windows, the registrant shall insure that the unfiltered radiation reaches only the part intended and that the useful beam is blocked at all time except when actually being used.

2) Machines having an output of more than 1,000 roentgens per minute at any accessible place shall not be left unattended without the power being shut off at the main disconnect switch in addition to the control panel switch.

3) If the tube must be hand held during irradiation the operator shall wear protective gloves and protective apron no less than 0.5 millimeter lead equivalent.

c) Structural Shielding.

In general, additional structural barriers will not be required. However, calculations of dose rates at critical positions beyond walls, partitions, etc., shall be made to determine if additional structural barriers will be required.

In addition to the provisions of Sections 360.10, 360.20 and 360.30, the requirements of this Section apply to x-ray and particle accelerator systems operating at energies of 1 MeV or greater. Accelerator systems capable of producing radioactive materials in excess of the exempt quantities specified in 32 Ill. Adm. Code 330 Appendix B shall also be licensed pursuant to the provisions of 32 Ill. Adm. Code 330.

a) Facility Design —

1) The registrant shall consult a therapeutic radiological physicist in the design of a particle accelerator installation.

2) Shielding requirements —

A) Each accelerator installation shall be provided with such primary and secondary barriers as are necessary to assure compliance with 32 Ill. Adm. Code 340.1010, 340.1040, and 340.1050.

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B)

Facility design information for all accelerators installed after the effective date of this Part shall be submitted to the Department for review prior to installation of the x-ray therapy system. Information submitted to the Department shall include, but need not be limited to, the following:

- i) Name and address of the planned installation;
- ii) Name, address, and telephone number of the therapeutic radiological physicist who was consulted in the design of the installation;
- iii) A scale drawing that includes the location of the accelerator, control panel, and doors to the room;
- iv) The structural composition and thickness of all walls, doors, partitions, floor, and ceiling of the installation;
- v) The occupancy of areas adjacent to the installation;
- vi) Calculations that demonstrate the adequacy of the amount of shielding specified for each primary and secondary protective barrier; and
- vii) Projected weekly dose rates in areas adjacent to the installation.

C)

Facilities shall meet the shielding criteria of National Council on Radiation Protection Report No. 102, entitled "Medical X-Ray, Electron Beam and Gamma-Ray Protection for Energies up to 50 MeV", published June 30, 1989, exclusive of subsequent amendments or editions.

AGENCY NOTE: The possibility of later operating at greater workloads or future changes in occupancy of adjacent areas should be considered in the original design.

AGENCY NOTE: A copy of National Council on Radiation Protection Report No. 102 is available for inspection at the Department's offices, 1035 Outer Park Drive.

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Springfield, IL 62704. Copies of Report 102 may be obtained from: NCRP, 7910 Woodmont Avenue, Bethesda, MD 20814.

- 3) Interlock - An interlock shall be installed on each door of the therapy room. The interlock shall be wired into the electrical circuit in such a manner that when the door is opened, for any reason, the generation of radiation beams will automatically be terminated and irradiation can be resumed only by manually resetting the controls on the control panel after the door is closed.
 - 4) Warning lights that indicate when the beam is on shall be provided in a readily observable position near the outside of all access doors to the therapy room.
 - 5) Viewing system - Windows, mirrors, closed-circuit television or an equivalent system shall be provided to permit continuous visual observation of the patient during irradiation and shall be located so that the operator can observe the patient from the control panel.
- AGENCY NOTE: When the primary viewing system is electronic, a back-up system should be available for use in the event of failure of the primary system in order to ensure compliance with the requirements of subsection (q)(1)(H) below.
- 6) The facility design shall permit two way aural communications between the patient and the operator at the control panel.
 - 7) Signs required by 32 Ill. Adm. Code 340.2030 shall be posted in the facility.
 - 8) The control panel shall be outside the therapy room.
 - 9) The facility design shall include emergency off buttons, at locations that allow shutting off the machine from inside the therapy room and at the control panel.
 - 10) The doors to the therapy room shall be designed to allow opening from the inside at all times, and shall be capable of being opened manually.

b) Equipment Requirements -

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1) Leakage radiation to the patient area shall be measured for each accelerator. Measurements shall be repeated following maintenance or service performed on the accelerator, as determined by a therapeutic radiological physicist.

A) For operating conditions producing maximum leakage radiation, the absorbed dose due to leakage radiation, excluding neutrons, at any point in a circular plane of 2 meters radius centered on and perpendicular to the central axis of the beam at the isocenter or normal treatment distance and outside the maximum useful beam size shall not exceed 0.1 percent of the maximum absorbed dose of the unattenuated useful beam measured at the point of intersection of the central axis of the beam and the plane surface. Radiation measurements shall be averaged over an area up to but not exceeding 100 square centimeters.

B) Records of the most recent radiation leakage measurements and the machine parameters used during the survey shall be maintained at the facility for inspection by the Department.

2) Beam limiting devices - Adjustable or interchangeable beam limiting devices shall transmit no more than 2 percent of the useful beam at the normal treatment distance for the portion of the useful beam which is to be attenuated by the beam limiting device. The neutron component of the useful beam shall not be subject to this requirement. This requirement does not apply to auxiliary blocks or materials placed in the useful beam to shape the useful beam to the individual patient.

3) Source to skin distance (SSD) indication -

A) Means shall be provided to indicate the SSD.

B) The SSD shall be indicated in inches and/or centimeters and the measured SSD shall correspond to the indicated value to within 2 percent.

4) Filters -

A) Each filter that is removable from the system shall be clearly marked with an identification number. Documentation available at the control panel shall

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contain a description of the filter. For wedge filters, the wedge angle and maximum design field size shall appear on the wedge or wedge tray.

B) If the machine calibration measurements required by subsection (d) below relate exclusively to operation with an x-ray field flattening filter or electron beam scattering filter in place, such filters shall be removable from the machine only by the use of tools.

C) Equipment utilizing a system of wedge filters, interchangeable field flattening filters, or interchangeable beam scattering filters shall meet the following requirements:

i) The equipment shall have an interlock that prevents irradiation if any filter selection operation carried out in the therapy room is not consistent with the selection of filter, beam type, or beam energy at the control panel; and

ii) The equipment shall have an interlock system that prevents irradiation if any selected filter is not in the correct position.

5) Beam quality - The registrant shall determine and have available for use by the licensed practitioner, the following beam quality parameters for each accelerator:

A) The absorbed dose resulting from x-rays in an electron beam at a point on the central axis of the beam 10 centimeters greater than the practical range of the electrons.

B) The absorbed dose at a surface located at the normal treatment distance, at the point of intersection of that surface with the central axis of the beam during x-ray irradiation.

6) Dose monitoring system - All accelerator systems shall be provided with a dose monitoring system in the radiation head device capable of monitoring and terminating irradiation.

A) Each dose monitoring system shall have a display at the treatment control panel which shall register accumulated monitor units.

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- B) The dose monitoring system shall terminate irradiation when the pre-selected number of monitor units has been detected by the system.
- C) Accelerator systems installed after the effective date of this Part shall be equipped with a primary and a secondary dose monitoring system. Each dose monitoring system shall be independently capable of monitoring and terminating irradiation.
- D) For units with a secondary dose monitoring system, the primary dose monitoring system shall terminate irradiation when the pre-selected number of monitor units has been detected. The secondary dose monitoring system shall terminate irradiation if the primary system fails.
- E) An interlock device shall prevent irradiation if any dose monitoring system is inoperable.
- F) In the event of power failure, the display information required in subsection (b)(6)(A) above, shall be retrievable in at least one system for 20 minutes.
- G) Beam symmetry - For equipment which is inherently capable of producing useful beams with unintentional asymmetry exceeding 5 percent, the symmetry of the radiation beam in two orthogonal directions shall be monitored before the beam passes through the beam limiting device. The equipment shall provide means of terminating irradiation automatically if the difference in dose rate between one region and another region exceeds criteria specified by the manufacturer.

8) Control panel -

- A) Selection and display of monitor units -
- i) Irradiation shall not be possible until a selection of a number of monitor units has been made at the control panel.
- ii) The selected number of monitor units shall be displayed at the control panel until reset.
- iii) After completion of irradiation, it shall be

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- necessary to reset the preselected dose monitor units before treatment can be restarted.
- B) Termination of irradiation - It shall be possible to terminate irradiation and equipment movements at any time from the operator's position at the control panel.
- C) Selection of radiation type - Equipment capable of both photon and electron therapy shall meet the following requirements:
- i) Irradiation shall not be possible until the radiation type has been selected and displayed at the control panel.
- ii) An interlock shall be provided to ensure that the machine will emit only the radiation type that has been selected.
- iii) An interlock shall be provided to prevent irradiation with x-rays, except to obtain port films, when electron applicators are installed.
- iv) An interlock shall be provided to prevent irradiation with electrons if accessories specific for x-ray therapy are installed.
- D) Selection of radiation energy - Equipment capable of producing radiation beams of different energies shall meet the following requirements:
- i) Irradiation shall not be possible until a selection of energy has been made at the control panel.
- ii) An interlock shall be provided to ensure that the machine will emit only the nominal energy of radiation that has been selected.
- iii) The nominal value of the energy selected shall be displayed at the treatment control panel.
- E) Selection of stationary or moving beam therapy - Equipment capable of both stationary and moving beam therapy shall meet the following requirements:

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- i) Irradiation shall not be possible unless either stationary therapy or moving beam therapy has been selected at the control panel. The selection of stationary therapy may be performed as a default selection if moving beam therapy is not selected.
- ii) An interlock shall be provided to ensure that the machine will operate only in the mode which has been selected.
- iii) An interlock shall be provided to terminate irradiation if the gantry fails to move properly during moving beam therapy.
- iv) Means shall be provided to prevent movement of the gantry during stationary therapy.
- v) The mode of operation shall be displayed at the control panel.
- E) Timers - A timer shall be provided with a display at the treatment control panel, as a back-up device to the dose monitoring system.
- i) The timer shall permit pre-setting and determination of exposure times.
- ii) The timer shall be a cumulative timer which activates with the production of radiation and retains its reading after irradiation is interrupted or terminated.
- iii) The timer shall terminate irradiation when a preselected time has elapsed if the dose monitoring system has not previously terminated irradiation. If set at zero, the timer shall not permit irradiation.
- G) Security - The control panel shall be capable of being locked to prevent unauthorized use.
- c) Radiation Protection Survey - A radiation protection survey shall be performed by a therapeutic radiological physicist on each accelerator. The registrant shall maintain at the facility a copy of the most recent radiation protection survey report for review

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by the Department. Radiation protection surveys shall meet the following additional requirements:

- 1) For each accelerator installed after the effective date of this Part, a radiation protection survey shall be performed by a physicist before the system is first used for irradiation of a patient. The physicist who performs the radiation protection survey shall be a person who did not consult in the design of the accelerator installation (see subsection (a) above), and is not employed by or within any corporation or partnership with the person who consulted in the design of the installation.
- 2) A radiation protection survey shall be performed by a physicist after any change in the accelerator or facility that might produce a radiation hazard. Such survey shall be performed before the system is used to treat patients.
- 3) The survey report shall include, but need not be limited to, the following:
- A) A diagram of the facility which details building structures and the position of the control panel, accelerator and associated equipment;
- B) A description of the accelerator system including the manufacturer, model number, beam type, and beam energy range;
- C) A description of the instrumentation used to determine radiation measurements, including the date and source of the most recent calibration for each instrument used;
- D) Conditions under which radiation measurements were taken;
- E) Survey data including:
- i) Projected weekly dose equivalent in areas adjacent to the therapy room; and
- ii) A description of workload, use and occupancy factors employed in determining the projected weekly dose equivalent.

- 4) The registrant shall retain a copy of the radiation protection survey report and a copy of the report shall be provided to the Department within 30 days of completion of the survey.
- 5) Any deficiencies detected during the radiation protection survey that would constitute or result in a violation of 32 Ill. Adm. Code 340 shall be corrected prior to using the machine for treatment of patients.
- 6) The facility shall be operated in compliance with any limitations indicated by the therapeutic radiological physicist as a result of the radiation protection survey.
- d) Machine Calibration - Calibration measurements shall be performed on each accelerator system by a therapeutic radiological physicist before the therapy system is first used for irradiation of a patient. Calibrations shall also be performed after any change in or replacement of components of the accelerator which may affect the output of the machine, as determined by the physicist.
- 1) Calibration measurements shall include, but need not be limited to, the following determinations:
- A) Verification that the equipment is operating in compliance with the design specifications concerning the light localizer, variation in the axis of rotation for the table, gantry, and jaw system, and beam flatness and symmetry at the specified depth;
- B) The absorbed dose rate at various depths in water for the range of field sizes used, for each beam type and energy;
- C) The uniformity of the radiation field and any dependency upon the direction of the beam;
- D) Verification that existing depth-dose data and isodose charts applicable to the specific machine continue to be valid or are updated to existing machine conditions; and
- E) Verification of transmission factors for all accessories such as wedges, shadow trays, and compensators, as applicable.
- 2) Calibration radiation measurements shall be performed using a dosimetry system that has been calibrated by a calibration laboratory accredited by the American Association of Physicists in Medicine (AAPM), and meets the requirements of either subsection (d)(2)(A) or (d)(2)(B) below:
- A) The calibration shall have been performed within the previous two years and after any servicing that may have affected calibration of the dosimetry system; or
- B) The dosimetry system shall have been calibrated within the previous four years and shall have been:
- i) Compared at annual intervals following the calibration to a dosimetry system with calibration obtained within the previous two years from a calibration laboratory accredited by the AAPM, and the results of the comparison indicate the calibration factor has not changed by more than 2 percent; or
- ii) Subjected to a testing protocol that has been established by a therapeutic radiological physicist and that provides for checks of dosimetry constancy and provides for corrective action when results deviate more than 2 percent from the expected values.
- AGENCY NOTE: Redundancy is a basic tenet of radiation dosimetry. Therefore the therapeutic radiological physicist should establish a program of inter-comparison and constancy testing of calibrated dosimetry instruments to assure, as much as possible, the accuracy, reliability, and reproducibility of the measurements performed with those instruments.
- 3) Calibration of the radiation output of the accelerator shall be performed in accordance with:
- A) The protocol of Task Group 21, Radiation Therapy Committee, American Association of Physicists in Medicine (AAPM), entitled "A protocol for the determination of absorbed dose from high-energy photon and electron beams" published in Medical Physics.

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Volume 10, pages 741-771(1983), exclusive of subsequent amendments or editions; or

- B) The protocol of the Scientific Committee on Radiation Dosimetry of the AAPM, entitled "Protocol for the Dosimetry of X and Gamma Ray Beams with Maximum Energies Between 0.6 and 50 Mev", published in Physics, Medicine, and Biology, Volume 16, pages 379-396 (1971), exclusive of subsequent amendments or editions; or

- C) Other machine calibration protocols provided that the registrant has submitted the protocols to the Department and the protocols cover the same topics as those contained in subsections (d)(3)(A) and (d)(3)(B), above.

AGENCY NOTE: Copies of the two protocols referenced above are available for public inspection at the Department of Nuclear Safety, 1035 Outer Park Drive, Springfield, Illinois 62704. The protocols may also be obtained directly from the AAPM, 335 East 45th Street, New York, NY 10017.

- 4) The radiation output of each therapy system shall be independently verified at intervals not to exceed two years. Independent verification shall consist of:

- A) Verification of the machine output by a therapeutic radiological physicist who is not employed at the facility and does not perform the annual calibration; or
- B) Alternate methods of verification of machine output, such as the use of mailed dosimetry devices, shall use devices and procedures approved by the AAPM.

- 5) Machine calibration records shall include identification of the accelerator calibrated, the results of the tests specified in subsection (d)(1) above, and shall be signed and dated by the therapeutic radiological physicist who performed the calibration.

- 6) The registrant shall maintain at the facility, for a period of five years, records of machine calibrations, instrument

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calibrations, and independent verifications of machine output for inspection by the Department.

- e) Quality Assurance Checks - A quality assurance check shall be performed by a therapeutic radiological physicist on each therapy system each calendar month and after any change which could affect the radiation output, spatial distribution or other characteristics of the therapy beam, as determined by the physicist. Quality assurance checks shall also meet the following requirements:

- 1) Quality assurance checks shall include determination of:

- A) The radiation output for a set of operating conditions specified by a therapeutic radiological physicist; and
- B) The coincidence of the radiation field and the field indicated by the localizing device.

- 2) Radiation measurements shall be obtained using a dosimetry system that:

- A) meets the requirements of subsection (d)(2) above; or
- B) has been directly compared by a therapeutic radiological physicist within the previous year with a dosimetry system which meets the requirements of subsection (d)(2) above.

- 3) The therapeutic radiological physicist shall establish criteria for quality assurance check measurements and shall determine corrective actions to be implemented if the criteria are exceeded.

- 4) The registrant shall retain a record of quality assurance check measurements for inspection by the Department for a period of five years. The record shall include the date of the quality assurance check, identification of the accelerator, results of the quality assurance check measurements, and the signature of the individual who performed the quality assurance check.

- f) Quality Control - A comprehensive quality control program shall be implemented as specified by a therapeutic radiological physicist and shall meet the following requirements:

- 1) The program shall be designed to test the operation and performance of the accelerator in order to maintain radiation safety and clinical reliability. The program shall include as a minimum the items listed in Section 360-Appendix E.
 - 2) The physicist shall specify the tolerance and frequency of performance for each item of the quality control program.
 - 3) The physicist shall specify what actions are to be taken for any item exceeding the specified tolerance.
 - 4) The physicist shall review, sign and date the results of the quality control program each calendar month.
- AGENCY NOTE: The elements of a comprehensive quality control program are described in Report No. 13 published by the AAPM, entitled "Physical Aspects of Quality Assurance in Radiation Therapy" (1984). A copy of this report is available for inspection at the Department's offices, 1035 Outer Park Drive, Springfield, Illinois 62704. Report No. 13 may also be obtained directly from the AAPM, 335 East 45th Street, New York, NY 10017.

- g) Operating Procedures - The registrant shall have a therapeutic radiological physicist establish written operating and emergency procedures and shall ensure that the procedures are implemented before the accelerator is used for treatment of patients. Operators of accelerators shall receive training in the application of the procedures before using the accelerator to irradiate patients. A copy of the current operating and emergency procedures shall be maintained at the treatment control panel for use and review.

- 1) Operating procedures to be implemented shall include instructions that:
 - A) The accelerator is used in such a manner that patients, workers, and the general public are protected from radiation hazards and the provisions of 32 Ill. Adm. Code 340 are met;
 - B) No accelerator shall be left unattended unless it is secured against unauthorized use;

- C) The safety interlock system shall not be used to turn off the beam except in an emergency;
 - D) The safety interlocks and warning systems, required in subsections (a)(3), (a)(4), and (a)(9) above, shall be tested for proper operation at monthly intervals;
 - E) Mechanical supporting or restraining devices shall be used when a patient must be held in position for radiation therapy;
 - F) No individual other than the patient shall be in the therapy room during irradiation;
 - G) Start-up procedures for the accelerator, specified by the therapeutic radiological physicist, shall be performed daily prior to treatment of patients; and
 - H) The accelerator shall not be used for treatment of patients unless the operator can maintain visual observation of the patient and audible communication with the patient.
- 2) Emergency procedures shall include instructions for alternate methods for termination of irradiation and machine movements.
- AGENCY NOTE: The operating and emergency procedures should contain as a minimum the machine manufacturer's operations manual for the accelerator.
- 3) Operating and emergency procedures shall include instructions for contacting the therapeutic radiological physicist when operational problems or emergencies occur, and what actions are to be taken until the physicist can be contacted.
- h) Machine Maintenance - The therapeutic radiological physicist shall establish maintenance procedures that meet the following requirements:
 - 1) Whenever service or maintenance is performed on the accelerator, a therapeutic radiological physicist shall be notified of such service or maintenance.

- 2) Following completion of service or maintenance on the accelerator, and before the accelerator is used for treatment of patients, the therapeutic radiological physicist shall review the service or maintenance report and shall determine whether a calibration or quality assurance check is necessary to verify the characteristics of the beam(s). If the therapeutic radiological physicist determines that a calibration or quality assurance check is necessary, then the calibration or quality assurance check shall be performed before the accelerator is used for treatment of patients.
- 3) The therapeutic radiological physicist shall establish the frequency of routine maintenance and ensure records are maintained at the facility of all service and maintenance performed on the machine.
- 4) The therapeutic radiological physicist shall sign and date records of all service and maintenance performed on the machine.
- 5) The therapeutic radiological physicist shall specify the qualifications of maintenance personnel and prohibit non-qualified personnel from repairing the machine or adjusting parameters on the machine.
- 6) Circuit diagrams of the accelerator and interlock systems shall be maintained at the facility and kept current.

(Source: Amended at __ Ill. Reg. __, effective _____)

Section 360. APPENDIX A Medical Radiographic Entrance Exposure Limits Measurement Protocol

Measurement Protocol

The medical radiographic examinations specified in Section 360.60(f) are examinations frequently taken at medical radiation installations. The exposures measured using the "measurement protocol" are not actual "entrance exposures" to patients but should be considered "reference exposures." The following protocol shall be used for measuring and calculating entrance skin exposures (ESE) for routine diagnostic examinations. Radiation measurements shall be performed with a calibrated radiation measuring device that is sufficiently sensitive to determine compliance with the criteria specified in Section 360.60(e). The instrument shall have been calibrated within the previous 12 months with devices which have no more than a three step (tertiary) calibration, traceable to the National Institute of Standards and Technology. (Patients are not involved in the measurement protocol).

a) Position the x-ray tube at the source-image receptor distance (SID) routinely used, and adjust the collimation to the size routinely used for the examination.

b) Measure the distance from the x-ray source to the surface against which the patient rests. Subtract the thickness of the patient to obtain the source-skin distance (SSD). The standard patient thickness for each projection to be measured shall be the following:

Projection	Thickness (cm)
Chest (PA), Grid	23
Chest (PA), Non-Grid	23
Abdomen (KUB)	23
Lumbo-Sacral Spine (AP)	23
Cervical Spine (AP)	13
Skull (lateral)	15
Foot (D/P)	8

a c) An integrating exposure Place a radiation measuring device is placed on the radiographic table top directly in the center of the useful beam, measure and record the distance from the source to the device (SDD). Use of a test stand to position the device away from the table will reduce backscatter contribution. Placing the radiation measuring device at the actual source-skin distance (SSD) will accomplish this and allow direct reading of the ESE.

AGENCY NOTE: ~~Applicable radiation measuring devices include but are not limited to: Condenser R meter, low energy dosimeter (LED), integrating mode of a cutie pie, thermoluminescent dosimetry (TLD).~~

AGENCY NOTE: ~~In the event a patient support table is not utilized, (e.g., mobile/portable radiography) the measuring device should be placed directly in the center of the useful beam on any convenient support surface. The radiographic tube to measuring device distance shall be identical to the source to image receptor distance used during an actual patient exposure.~~

b) ~~The radiographic tube is positioned identical to that used during an actual patient exposure (usually 40 inches to bucky).~~

ed) The Set the exposure technique is set-up as follows:

- 1) ~~For non-phototimed x-ray systems, set the controls to the exposure technique used by the x-ray operator for an "average sized" adult the standard patient is set-up on the controls thickness specified in subsection (b) above.~~

EXAMPLE: ~~A-P. Abdomen (80 kVp, 100-mAs). The useful beam is limited to the appropriate film size.~~

- 2) ~~For phototimed x-ray systems, including photofluorographic systems, set the controls to the exposure technique used by the x-ray operator for an "average sized" adult the standard patient is set-up on the controls. thickness specified in subsection (b) above, and use one of the two methods below:~~

A) ~~An Place an appropriate phantom (simulating body attenuation) is placed in the useful beam between the radiation measuring device and the radiographic table-top or the surface of the photofluorographic screen assembly. The useful beam is limited to the size of the phantom. i or~~

B) ~~Set an appropriate exposure technique in the manual mode (without activation of the phototimer).~~

de) ~~A Make a radiographic exposure is made (without patient) and record the reading obtained from the radiation measuring device is recorded as a representative radiation exposure for that specific examination to determine compliance.~~

f) Calculate the entrance skin exposure for the specific examination, using the radiation exposure reading from subsection (e) above and the equation below (if a direct result was not obtained with the dosimeter at the SSD):

The entrance skin exposure equals the product of the radiation exposure reading from subsection (e) above multiplied by the square of the ratio of the SSD, to the SSD. This expression is mathematically represented by the equation below (if a direct result was not obtained with the dosimeter at the SSD):

$$\text{ESE} = (\text{Dosimeter Reading}) \times \left[\frac{\text{SSD}}{\text{SSD}} \right]^2$$

where:

SSD = source to radiation measuring device distance
SSD = source to skin distance

g) Compare the results of the calculation from subsection (f) above with the criteria specified in Section 360.60(e) to determine compliance.

AGENCY NOTE: There are many different techniques for measuring ESE which may result in significant differences in measured values. Factors that can cause variations include instrument calibration, backscatter, collimation, estimation of focal spot location, choice of phantom, location of dosimeter in the primary beam, etc. Because of these variations, the procedure for determining the ESE should be performed with strict attention to each detail noted above.

(Source: Amended at — Ill. Reg. —, effective —)

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Section 360. APPENDIX B Mammography Dose Limit Measurement Protocol

MEASUREMENT PROTOCOL

The technique factors used for performing a mammography examination shall not permit the mean glandular absorbed dose to exceed the limits specified in Section 360.71(eh). Radiation measurements shall be performed with a integrating radiation measuring device that is appropriate to the high beam intensity and mammographic kilovoltage peak (kVp) used, and sufficiently sensitive to determine compliance with the criteria specified in Section 360.71(h). The instrument shall have been calibrated within the previous 12 months with devices which have no more than a three step (tertiary) calibration, traceable to the National Institute of Standards and Technology.

The mammography exam dose limits are based on an average compressed breast value of 4.5 centimeters having an average density (i.e., 50 percent adipose and 50 percent glandular). While other sizes and densities may be present in the actual population of interest, this average compressed breast of 4.5 centimeters and density of 50 percent adipose and 50 percent glandular tissue will suffice as a dose model reference within the accuracies needed to provide safety to the general public.

a) Non-Automatic Exposure Control Systems

Perform the following steps to determine the mean glandular dose to a nominal 4.5 centimeter compressed breast:

- 1) Determine the x-ray tube target material.
- 2) Identify the curve which represents a 4.5 centimeter compressed breast thickness from the "Mammography Dose Evaluation" graph (see illustration B).
- 3a) Measure and record the x-ray system's useful beam half-value layer (HVL). (See Section 360.40(a) 71(e).) Any compression device normally in the useful beam during mammography procedures shall be required to be placed between the x-ray tube target and measuring device when determining the HVL. The useful beam shall be collimated to a size encompassing the detector.

AGENCY NOTE: Filters used for the HVL evaluation should be placed as close to the target as possible. The HVL for film/screen mammography should not exceed 0.4 the minimum acceptable HVL by more than 0.1 millimeter of aluminum equivalent (see Section 360.71(e)), and 1.6 millimeters of aluminum equivalent for xerography.

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- 4b) Estimate the normalized Determine rad per roentgen factor from the "Mammography Dose Evaluation Table" graph (see illustration B Table A) using the coordinates for a 4.5 centimeter compressed breast thickness and the appropriate HVL, kVp, and x-ray tube target material.

AGENCY NOTE: The kVp of film-screen mammography systems with molybdenum target/filter combinations should be accurately measured to determine the appropriate rad per roentgen factor from Table A.

EXAMPLE: A radiation machine is provided with a molybdenum target and its HVL is determined to be 0.3. Therefore, for a 4.5 centimeter compressed breast, the normalized rad per roentgen factor would be 0.15.

- 5c) Set If the equipment has the capability for variable source to image receptor distance, set the appropriate cranio-caudal source to image receptor distance (SID) for the image receptor system used.

- d) Position in the useful beam any compression apparatus normally used.

AGENCY NOTE: Some mammography systems have the capability of providing automatic adjustment of technique factors through feedback from the position of the compression device. On such systems, the compression device should be lowered to a position 4.5 centimeters above the breast support assembly (BSA). The device should then be removed, inverted, and replaced to allow placement of the phantom and measuring device on the BSA below the compression device. If the compression device cannot be replaced in an inverted position, the device should be placed in the beam using auxiliary support.

- e) Placement of the radiation measuring device -

- 1) For systems equipped with automatic exposure control (AEC) -
- A) Place a properly loaded film cassette in the cassette holder.

AGENCY NOTE: The loaded cassette is placed in the cassette holder to simulate, as much as is possible, the conditions under which actual patient exposures

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are made. Following radiation measurements, the film should be discarded and the cassette reloaded with unexposed film.

- B) Place a mammography phantom (see the definition for "Mammography phantom" in Section 360.20) on the breast support assembly. Center the phantom on the assembly to assure the phantom is over the automatic exposure control device(s).
- C) Place a radiation measuring device in the useful beam so the center axis of the device is parallel to the breast support assembly (BSA). The geometric center of the measuring device shall be positioned 4.5 centimeters above the BSA, 2.5 centimeters from the chest wall edge of the BSA and immediately adjacent to either side of the mammography phantom.
- 62) For systems not equipped with AEC - Place a radiation measuring device in the useful beam so that the center axis of the device is parallel to the breast support assembly (BSA). The geometric center of the measuring device shall be positioned so that it is centered 4.5 centimeters above the BSA, 2.54 centimeters (1 inch) from the chest wall edge of the BSA and at the center line of the BSA (see Illustration A). The radiation measuring device shall be an integrating type appropriate to the high beam intensity and mammographic kilovoltage peak (kVp) used. No part of the device's detector area shall be outside of the useful beam.
- 7f) Collimate the x-ray field to the size normally used and assure that the area covered by the useful beam includes the mammography phantom if the equipment is equipped with automatic exposure controls, and the detector area of the radiation measuring device.
- 8g) Set the milliamperage (mA), kilovoltage peak (kVp) and exposure time appropriate technique factors or automatic exposure controls normally used for a nominal 4.5 centimeter compressed breast.
- 9) Position in the useful beam any compression apparatus normally used.
- 10h) Measure and record the exposure in air with the radiation measuring device.
- i) Measure and record the time of the exposure required in subsection

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(h) above. The time for the exposure shall be equal to or less than 2 seconds (see Section 360.71(i)).

- 11j) Calculate the mean glandular dose for a 4.5 centimeter compressed breast by multiplying the measured exposure in roentgens by the normalized rads per roentgen figure established factor, which was determined using the procedure described in subsection (a)(4 b) above.

EXAMPLE: The rad (milligray) per roentgen figure of 0.15 established in subsection (a)(4) will be used. A radiation machine is provided with a molybdenum target, and the HVL and kVp are determined to be 0.3 and 30, respectively. Therefore, for a 4.5 centimeter compressed breast, the dose per roentgen value from the Mammography Dose Evaluation Table (Table A) would be 149 millirads. The measured roentgen output determined in subsection (a)(10) (i) is determined to be 1.8 roentgens. Therefore, the mean glandular dose would be 288 millirads (2.88 milligrays) 1.8 roentgens multiplied by 149 millirads per roentgen. This results in a mean glandular dose measurement of 268 millirads. If the image receptor type used was film/screen with grid, the system would be in compliance with Section 360.71(eh)(2).

- b) Systems Equipped with AEC That Have A Means To Determine Exposure Elapsed Time - Perform one of the following two procedures to determine the mean glandular dose to a 4.5 centimeter compressed breast for systems equipped with either a milliamper-second (mAs) meter or an exposure time indicator.

1) Mammography dosimetry test phantom procedure

- A) Follow the procedures outlined in subsections (a)(1), (2), (3), (4) and (5) above.
- B) Place a mammography dosimetry test phantom (see the definition for "Mammography dosimetry test phantom" in Section 360.20) on the breast support assembly. Center the phantom on the assembly to assure the phantom is over the automatic exposure control device(s).
- C) Place a radiation measuring device in the useful beam so the center axis of the device is parallel to the breast support assembly (BSA). The geometric center of the measuring device shall be positioned so that it is centered 4.5 centimeters above the BSA.

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2-54 centimeters (1 inch) from the chest wall edge of the BSA and immediately adjacent to either side of the breast dosimetry test phantom.

- D) Collimate the x ray field to the size normally used and assure that the area covered by the useful beam includes the breast dosimetry test phantom and the detector area of the radiation measuring device.
- E) Set the milliamperage (mA) and kilovoltage peak (kVp) technique factors normally used for a nominal 4-5 centimeter compressed breast.
- F) Position in the useful beam, any compression apparatus normally used.
- G) Make an exposure and record the exposure indicated by the radiation measuring device.
- H) Calculate the mean glandular dose for a 4.5 centimeter compressed breast. (See subsection (a)(11) above.)

2) Mammography test procedure without a mammography dosimetry test phantom:

- A) Record for 30 consecutive days the patient characteristics in terms of mAs, compressed breast size and kVp per radiograph to determine an average. All patients radiographed during the 30 day period shall be included in the average. For the purpose of this protocol, breast size measurements shall be accurate to within 0.3 centimeter. The 4.5 centimeter compressed dimension is measured at a point midway between the medial and lateral edges of the breast and 1/2 the distance between the surface of the chest wall and the base of the nipple.

- B) Calculate the average mAs and kVp associated with a nominal 4.5 centimeter compressed breast from the data recorded. The calculation may be either arithmetic or graphic.

AGENCY NOTE: A sample size of at least 30 will be considered an acceptable sample size for the purpose of determining the average mAs and kVp used for a nominal 4.5 centimeter compressed breast. If the

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sample size is less than 30, the graphic method of determining the average mAs and kVp shall be used.

- C) Turn off the automatic exposure control system and set up the x ray system as specified in subsections (a)(1), (2), (3), (4), (5) and (6) above.
- D) Collimate the x ray field to the size normally used and assure that the area of the useful beam includes the detector area of the radiation measuring device.
- E) Set the mAs and kVp as would be used if the automatic system was being used for a 4.5 centimeter compressed breast (i.e., based on the average technique factors calculated from subsection (b)(2)(b) above).
- F) Position in the useful beam any compression apparatus normally used.
- G) Perform the exposure measurement and calculate the mean glandular dose as specified in subsections (a)(10) and (11) above.

- c) Systems Equipped with AEC That Do Not Have A Means To Determine Exposure-Elapsed Time—Perform one of the following two procedures to determine the mean glandular dose to a nominal 4-5 centimeter compressed breast for systems not equipped with either an mAs or elapsed exposure time indicator:

- 1) Procedure No. 1—No Mammography Dosimetry Test Phantom
 - A) Temporarily install either an mAs meter or elapsed exposure on time indicator on the x ray system. This installation shall be done by a person competent in electrical circuitry to avoid electrical hazards.
 - B) Follow the procedures listed under subsection (b)(2) above.
- 2) Procedure No. 2—With a Dosimetry Test Phantom
 - Follow the procedures in subsection (b)(1) above.

(Source: Amended at Ill. Reg. ____, effective ____)

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Section 360. APPENDIX C Mammography Phantom Image Evaluation

Mammography phantom image evaluation shall be performed using the procedure below. The evaluation shall be performed monthly as a part of the quality assurance program, and as part of the routine inspection required by 32 Ill. Adm. Code 410. The evaluation shall be performed with the mammography phantom specified in Section 360.71(i)(2).

- a) Equipment necessary for mammography phantom image evaluation includes a densitometer, the mammography phantom and mammographic cassette and film.
 - b) Load film in the mammographic cassette according to the manufacturer's specifications.
 - c) Place the properly loaded cassette in the cassette holder.
 - d) Place the mammography phantom on the breast support assembly (BSA) so that the phantom is aligned with the chest wall side of the BSA. Align the phantom so that the masses in the phantom are nearest the chest wall edge of the BSA and the fibers in the phantom are away from the BSA. If the mammography machine has the capability of automatic exposure control, place the phantom so that the phantom covers the phototimer sensor.
 - e) Position the compression device so that it is in contact with the phantom.
 - f) Select the technique factors used most frequently in the clinical setting for a 4.5 cm compressed breast and make an exposure of the phantom.
 - g) Process the film in the processor used for clinical mammography films.
 - h) Examine the processed image for areas of non-uniformity and for the presence of artifacts due to dirt, dust, grid lines, or processing.
- AGENCY NOTE: If any of the problems noted above are evident on the processed image, the mammography machine and/or film processor should be evaluated and the problem corrected. The phantom image evaluation should be repeated after the problem is corrected.
- i) Measure and record the film density near the center of the phantom image.

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AGENCY NOTE: The film density should be between 1.0 and 1.6. If the density of the phantom image is not in this range, the phantom image may need to be repeated to determine compliance with the criteria of Section 360.71(i)(4). Potential causes of film density problems include using improper technique factors and either over-processing or under-processing the film.

j)

Examine the phantom image and count and record the number of masses visualized. Repeat this procedure for the speck groups and the fibrils and record the number of objects visualized. There are a total of 16 imaging objects (5 masses, 5 speck groups, and 6 fibrils) in the phantom. Evaluation criteria for objects visualized in the phantom image are in Section 360.71(j)(4). As a minimum, the objects that must be visualized in the phantom image, are:

- 1) the masses that are 0.75 mm or larger (a total of 3 masses);
- 2) the speck groups that are 0.32 mm or larger (a total of 3 speck groups); and
- 3) the fibrils that are 0.75 mm or larger (a total of 4 fibrils).

AGENCY NOTE: The phantom image should be compared with previous films, including the original phantom image, to determine if subtle changes are occurring from month to month.

(Source: Added at 111. Reg. ____, effective _____)

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Section 360. APPENDIX D Computed Tomography Dose Measurement Protocol

Radiation measurements shall be performed by a diagnostic imaging specialist with a calibrated radiation measuring device that is designed for computed tomography (CT) dose measurements. The radiation measuring instrument shall have been calibrated within the previous 12 months with devices which have no more than a three step (tertiary) calibration, traceable to the National Institute of Standards and Technology. Measurements shall be specified in terms of the multiple scan average dose (MSAD), and shall be performed with a head phantom specifically designed for making CT dose measurements.

AGENCY NOTE: There are two terms used to describe CT dosimetry measurements, the computed tomography dose index (CTDI) and the multiple scan average dose (MSAD). Manufacturers of CT systems measure and report CTDI pursuant to the requirements of the Code of Federal Regulations, 21 CFR 1020.33(b)(1). While the CTDI is carefully defined, it is difficult to accurately measure. The MSAD is easily measured and was the CT dose descriptor used by the Center for Devices and Radiological Health (FDA) in the Nationwide Evaluation of X-Ray Trends (NEXT). The CTDI is equivalent to the MSAD for a series of 14 contiguous scans spaced by the nominal tomographic thickness. The MSAD was chosen as the dose descriptor for this Part due to the ease of measurement and the applicability of the data generated for comparisons with the results of the NEXT study.

a) CT dose measurements shall be performed using a head phantom that meets the following requirements:

- 1) The phantom shall be a right circular cylinder of polymethyl-methacrylate of density 1.19 ± 0.01 grams per cubic centimeter.
- 2) The phantom shall be at least 14 centimeters in length and shall have a diameter of 16 centimeters.
- 3) The phantom shall provide means for the placement of a radiation measuring device in the center of the phantom along its axis of rotation.

b) Set up procedure

- 1) Place the phantom on the patient support device and in the patient head rest, if available. Center the phantom in the CT gantry aperture and position the gantry so that it is perpendicular to the patient support device. Align the phantom so that the tomographic plane is centered along the axis of the phantom.

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- 2) Make a single scan of the phantom and determine if the center of the phantom is aligned with the axis of rotation of the scanner. If necessary, realign the phantom and repeat this procedure until the center of the phantom is aligned to within ± 0.5 centimeters of the axis of rotation of the CT scanner.

- 3) Place the radiation measuring device in the center of the phantom.

c) Exposure measurement

- 1) Select and record the technique factors and the tomographic section thickness most frequently used for a CT examination of the head.

AGENCY NOTE: If routine CT examinations of the head are performed at the facility using a different tomographic section thickness for the top or bottom part of the head, the larger tomographic section thickness should be used for measurement of the MSAD.

- 2) Perform a single CT scan and record the exposure reading from the radiation measuring device. Repeat this procedure three times for a total of four scans and determine the average exposure reading for a single scan.

d) Calculation of MSAD

- 1) The MSAD shall be calculated using the mathematical expression below:

$$\text{MSAD} = (E \times f \times K \times L) / I$$

where:

E = average exposure reading in milliroentgens.

f = factor to convert exposure in air to absorbed dose in tissue or other attenuating matter, in rads per milliroentgen. For acrylic, at an effective energy of 70 KeV, f is equal to 0.78×10^{-4} rads per milliroentgen.

K = calibration factor to account for the radiation measuring device's response and volume.

L = effective length of the radiation measuring device in millimeters.

T = thickness in millimeters of the tomographic section selected.

AGENCY NOTE: This calculation assumes tomographic sections are contiguous, without overlap of sections or gaps between sections.

EXAMPLE: The measurement is made with an ion chamber with an effective length of 100 millimeters and a calibration factor of 1.99. The thickness of the tomographic section from subsection (c)(1) above is 10 millimeters. The average exposure reading from subsection (c)(2) above is determined to be 306 milliroentgens. The MSAD is calculated as follows:

$$\text{MSAD} = (306 \times 0.78 \times 10^3 \times 1.99 \times 100) / 10$$

$$\text{MSAD} = 4.7 \text{ rads}$$

- 2) If the tomographic sections overlap, the MSAD must be multiplied by a fraction which is the thickness of the tomographic section divided by the scan increment.

EXAMPLE: Calculate the corrected MSAD for scan overlap technique, in a continuation of the above example, assume a scan increment of 5 millimeters.

$$\text{Corrected MSAD} = \text{MSAD} \times (T / \text{scan increment})$$

$$\text{Corrected MSAD} = 4.7 \times (10 / 5)$$

$$\text{Corrected MSAD} = 9.4 \text{ rads}$$

(Source: Added at 111. Reg. ____, effective _____)

Section 360-APPENDIX E Minimum Quality Control Program for Medical Accelerators

a) Mechanical tests

- 1) Patient support assembly motions
- 2) Gantry angle indicators
- 3) Optical distance indicator
- 4) Alignment lights
- 5) Congruence of radiation beam and light field
- 6) Accuracy of field size indicators
- 7) Mechanical isocenter - gantry and collimator
- 8) Mechanical interlocks

b) Radiation beam tests

- 1) Machine operating parameters
- 2) Dose per monitor unit for x-ray and electron beams
- 3) Dose per degree for moving beam therapy
- 4) Radiation isocenter
- 5) Flatness and symmetry
- 6) Wedge transmission factors
- 7) Shadow tray transmission factors
- 8) Energy check on central axis
- 9) Radiation output versus field size

c) Control panel checks

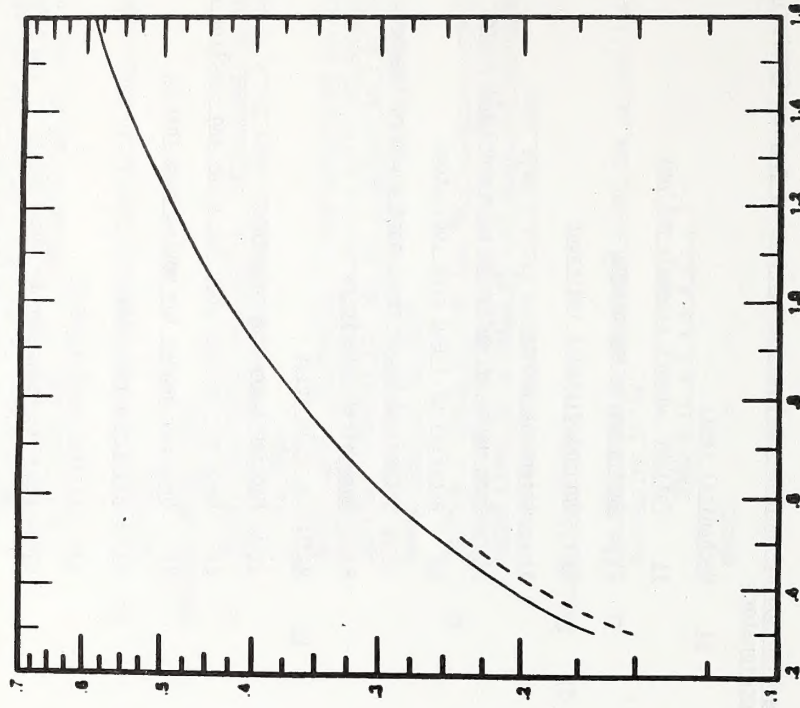
- 1) Radiation "ON" condition
- 2) Indicator lamp check

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- 3) Computer control of accelerator
- d) Facility checks
 - 1) Patient audio-visual communication
 - 2) Entrance door interlock
 - 3) Warning lights
 - 4) Emergency off buttons
- e) Control Panel
 - 1) Digital displays
 - 2) Analog displays
 - 3) Status displays
 - 4) Interlock displays
 - 5) Reset display
- f) Patient Dosimetry Calculations
 - 1) Calculation of patient treatment times
 - 2) Computer calculations of patient treatment times

(Source: Added at ___ Ill. Reg. ___, effective _____)

Section 360. ILLUSTRATION B Mammography Dose Evaluation Graph (Repealed)



Working curves for evaluating the average glandular dose delivered by 1 R in air incident on a 4.5 centimeter compressed breast thickness (vertical axis) vs. first HVL in mmAl (horizontal axis). The solid line represents tungsten tube target data. The broken line represents molybdenum or molybdenum-tungsten target tube data. (Excerpt from NCRP-85)

(Source: Repealed at ___ Ill. Reg. ___, effective _____)

Section 360. TABLE A Mammography Dose Evaluation Table

This table is used to determine the average glandular dose (millirads) delivered by 1 roentgen in air incident on a 4.5 centimeter thickness compressed breast of average density (50% adipose and 50% glandular tissue). Values listed are for the first half layer (HVL) in millimeters of aluminum (mm Al), for x-ray tube target-filter combinations of molybdenum/molybdenum (Mo/Mo) and tungsten/aluminum (W/Al). Linear extrapolation or interpolation shall be made for any HVL not listed.

Glandular Dose (millirads) for 1 Roentgen Entrance Exposure for a 4.5 Centimeter Compressed Breast of Average Density

HVL (mm Al)	Mo/Mo Target-Filter X-Ray Tube Voltage (kVp)										W/Al Target- Filter Combination
	23	24	25	26	27	28	29	30	31	32	33
0.23	109										
0.24	113	116									
0.25	117	120	122								
0.26	121	124	126	128							
0.27	126	128	130	132	134						
0.28	130	132	134	136	138	139					
0.29	135	137	139	141	142	143	144				
0.30	139	141	143	145	146	147	148	149			
0.31	144	146	147	149	150	151	152	153	154		170
0.32	148	150	151	153	154	155	156	158	159	160	160
0.33	153	154	155	157	158	159	160	162	163	164	164
0.34	157	159	160	161	162	163	164	166	167	168	168
0.35		163	164	166	167	168	169	170	171	172	172
0.36			168	170	171	172	173	174	175	176	176
0.37					174	175	176	177	178	179	180
0.38						179	180	181	182	183	184
0.39							184	185	186	187	188
0.40								189	190	191	192
0.41									194	195	196
0.42										200	200

HVL (mm Al)	Mo/Mo Target-Filter X-Ray Tube Voltage (kVp)										W/Al Target- Filter Combination
	23	24	25	26	27	28	29	30	31	32	33
										204	
0.44											230
0.45											234
											238

AGENCY NOTE: Adapted from: American College of Radiology; Mammography Quality Control for Medical Physicists, April 1992

(Source: Section repealed at 13 Ill. Reg. 803, effective April 1, 1989; new section adopted at 111. Reg. _____, effective _____)

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Section 360. TABLE B Half-Value Layer as a Function of Tube Potential

Designed operating range	X-ray Tube Voltage (kilovolt peak)		Minimum HVL (mm of Al) (1)	
	Indicated Operating Potential (2)	Specified Dental Systems (3)	Other X-Ray Systems (4)	
Below 50	30	1.5	0.3	
	40	1.5	0.4	
	49	1.5	0.5	
50 to 70	50	1.5	1.2	
	60	1.5	1.3	
	70	1.5	1.5	
Above 71	71	2.1	2.1	
	80	2.3	2.3	
	90	2.5	2.5	
	100	2.7	2.7	
	110	3.0	3.0	
	120	3.2	3.2	
	130	3.5	3.5	
	140	3.8	3.8	
	150	4.1	4.1	

- (1) AGENCY NOTE: Linear extrapolation or interpolation may be made for an x-ray tube potential (kVp) not listed in Table B above (e.g., in the column entitled "Other X-ray Systems" operated at 20 kVp and 95 kVp, the minimum HVL required would be 0.2 and 2.6 mm of Al respectively).
- (2) AGENCY NOTE: If the HVL determination for an x-ray system is below the minimum value specified for a given voltage, as indicated at the control panel, the actual kilovoltage should be measured and the HVL reevaluated.
- (3) AGENCY NOTE: "Specified Dental Systems" means any dental x-ray system designed for use with intraoral image receptors and manufactured after December 1, 1980.

(4) AGENCY NOTE: "Other X-ray Systems" means all x-ray systems required to meet the provisions of Sections 360.50, 360.60, 360.70, 360.80, 360.90 (except "Specified Dental Systems") and 360.100.

AGENCY NOTE: Half-value layer requirements for mammography systems are specified in Section 360.71(e).

(Source: Amended at Ill. Reg. ____, effective ____)

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Section 360. TABLE C Entrance Exposure Limits Per Intraoral Bitewing Film
(Repealed)

Operating (kVp)	Maximum Exposure (1) (milliroentgens)	Minimum Exposure (2) (milliroentgens)
45	640	430
50	600	400
55	560	370
60	520	320
65	480	270
70	440	220
75	400	175
80	360	140
85	320	115
90	280	100
95	240	95
100	200	90

(1) AGENCY NOTE: Linear extrapolation or interpolation may be made for an x-ray tube potential (kVp) not listed in Table B above (e.g., bitewing radiographs taken at 44 kVp and 72 kVp, the maximum entrance exposure permitted would be 648 milliroentgens and 424 milliroentgens respectively).

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(2) AGENCY NOTE: The minimum exposures specified in the above table are included as recommendations only. They were empirically determined by a panel of dentists in a U.S. FDA, BRH study. They represent the minimum exposure which was found to be necessary to produce a diagnostic quality radiograph when a dental phantom, speed group "D" film, and adequate film development procedures were used. However, some x-ray units manufactured after 1980, or x-ray units used in conjunction with dental film of the ultra-speed group "E", may be capable of generating exposures lower than listed in this table.

(Source: Repealed at Ill. Reg. ____, effective _____)

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1) Heading of the Part: Activity Standards

2) Code Citation: 35 Ill. Adm. Code 1421

3) Section Numbers:

1421.101 New Section
1421.110 New Section
1421.111 New Section
1421.120 New Section
1421.121 New Section
1421.130 New Section
1421.131 New Section
1421.140 New Section
1421.141 New Section

4) Statutory Authority: Ill. Rev. Stat. ch. 111 1/2, pars. 1056.2 and 1027.

5) A Complete Description of the Subjects and Issues Involved: A complete description is contained in the Board's Opinion of December 3, 1992, in R91-20, which Opinion is available from the address below. This rulemaking is part of the proceeding entitled Potentially Infectious Medical Waste (PIMW): Treatment, Storage, and Transfer Facilities and Transportation, Packaging, and Labeling. Docket R91-20. As the title indicates, these proposed rules would govern how medical waste is to be handled. Interested persons should note that Part 1421 contains proposed regulations governing the segregation, packaging, labelling, marking and transportation of PIMW. Other parts published separately contain proposed rules dealing with treatment and general matters.

6) Will this proposed rule replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed rule contain incorporations by reference?
Yes

9) Are there any other amendments pending on this part? No

10) Statement of Statewide Policy Objectives:

The proposed amendments (rules) would not require a local

government to establish, expand, or modify its activities in such a way as to necessitate additional expenditures from local revenues.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

This Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference Docket R91-20 and be addressed to:

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center
100 W. Randolph Suite, Suite 11-500
Chicago, IL 60601

12) Initial Regulatory Flexibility Analysis:

A) Date rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs:
December 3, 1992.

B) Types of small businesses affected:
Haulers of potentially Infectious Medical Waste.

C) Reporting, bookkeeping or other procedures required for compliance: Transporters of potentially infectious medical waste are required to have permits pursuant to Section 56.1 of the Environmental Protection Act, and proposed sections 1420.104 and 1420.105. There are labeling requirements for packages containing PIMW in Subpart D and some recordkeeping requirements for transporters in Subpart E.

D) Types of professional skills necessary for compliance:
None known.

The full text of the Proposed Amendments begins on the next page:

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TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE M: BIOLOGICAL MATERIALS
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER b: POTENTIALLY INFECTIOUS MEDICAL WASTESPART 1421
ACTIVITY STANDARDS

SUBPART A: GENERAL PROVISIONS

Section
1421.101 Compliance Dates

SUBPART B: SEGREGATION

Section
1421.110 Scope and Applicability
1421.111 Standards and Criteria

SUBPART C: PACKAGING

Section
1421.120 Scope and Applicability
1421.121 Standards and Criteria

SUBPART D: LABELING AND MARKING

Section
1421.130 Scope and Applicability
1421.131 Standards and Criteria

SUBPART E: TRANSPORTATION

Section
1421.140 Scope and Applicability
1421.141 Standards and Criteria

1421.Appendix A International Biohazard Symbol

AUTHORITY: Implementing and authorized by Sections 56.2 and 27 of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 1056.2 and 1027).

SOURCE: Adopted in R91-20, at ___ Ill. Reg. ___, effective

NOTE: Capitalization denotes statutory language.

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SUBPART A: GENERAL PROVISIONS

Section 1421.101 Compliance Dates

Persons subject to this Part shall comply with its standards and criteria by ___, 1993 (effective date).

SUBPART B: SEGREGATION

Section 1421.110 Scope and Applicability

This Subpart applies to persons who generate or transport PIMW, and to owners and operators of PIMW storage sites, transfer stations and treatment facilities.

Section 1421.111 Standards and Criteria

a) Generators shall segregate PIMW as follows:

- 1) Sharps,
- 2) Oversized PIMW, and
- 3) All other.

b) PIMW mixed with other waste is regulated under this Subtitle as PIMW and the mixture is not exempt from any other applicable regulations.

c) This Section does not prohibit the placing of previously segregated and properly packaged (in accordance with Subpart C of this Part) sharps with other waste, provided the mixture is managed in accordance with subsection (b) of this Section.

SUBPART C: PACKAGING

Section 1421.120 Scope and Applicability

This Subpart applies to persons who package PIMW for off-site transportation.

Section 1421.121 Standards and Criteria

a) PIMW, except for oversized PIMW, must be placed in a container, or a combination of containers. Such container must be:

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- 1) RIGID;
 - 2) LEAK-RESISTANT;
 - 3) IMPERVIOUS TO MOISTURE;
 - 4) OF A STRENGTH SUFFICIENT TO PREVENT TEARING OR BURSTING UNDER NORMAL CONDITIONS OF USE AND HANDLING; AND
 - 5) SEALED TO PREVENT LEAKAGE DURING TRANSPORT.
(Section 56.1(b)(2)(A))
- Sharps must be packaged in a container, or a combination of containers, that is puncture-resistant and meets the requirements of subsection (a) of this Section.
- b) Oversized PIMW must be covered or packaged in a manner so as to avoid contact with transport workers and the public. Sharps must not be packaged with oversized PIMW in the same container.
 - c) If the outside of a container is contaminated by PIMW, a person shall place the container inside another container, or clean and disinfect the container in accordance with 35 Ill. Adm. Code 1420.107 of this Subtitle. In either case, the container or combination of containers must meet applicable requirements of subsections (a) or (b) of this Section.
 - e) Once a reusable container has been cleaned and disinfected in accordance with 35 Ill. Adm. Code 1420.107 of this Subtitle, it can be used for only waste. If a reusable container is not or cannot be cleaned and disinfected in accordance with Section 1420.107 of this Subtitle, it must be regulated as PIMW pursuant to this Subtitle.
 - f) Residues from cleaning a PIMW container, or discharges from PIMW packages, are regulated under this Subtitle, except when discharged directly into a sanitary or combined sewer in accordance with 35 Ill. Adm. Code Subtitle C.

BOARD NOTE: Interested persons are informed that local ordinances may also cover discharges to sewer systems.

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- SUBPART D: LABELING AND MARKING
- Section 1421.130 Scope and Applicability
- This Subpart applies to persons who package PIMW for off-site transportation or who accept packages of PIMW from off-site.
- Section 1421.131 Standards and Criteria
- a) The exterior of the outer package must be marked as follows prior to shipment:

- 1) The generator shall:
 - A) Mark on two opposite sides of the outer package in lettering that is readable at a minimum distance of five (5) feet:
 - i) The International Biohazard Symbol as shown in Section 1421.Appendix A of this Part and the word "Biohazard"; and
 - ii) The word "sharp", if the package contains sharps.
 - B) Mark with indelible ink in lettering that is legible on a water-resistant label or tag securely attached to or marked on the outer package:
 - i) The generator's name,
 - ii) The generator's address, and
 - iii) The generator's phone number (a 24-hour phone number, if available).
- 2) The transporter shall mark with indelible ink in lettering that is legible on a water-resistant label or tag securely attached to or marked on the outer package:
 - A) The transporter's name,
 - B) The transporter's permit number,
 - C) The transporter's address,

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- D) The transporter's phone number (a 24-hour phone number, if available), and
- E) For each PIMW package, the shipment date when PIMW initially left the generator's site; or for each shipment, a unique identification number which directly corresponds to the initial date of shipment.
- b) Except for subsection (c) of this Section, inner packages must be marked as described in subsection (a)(1)(A)(i) of this Section.
- c) If a sharps container is packaged within an outer container, the inner sharps container must be marked with indelible ink in lettering that is legible as follows:
- 1) The International Biohazard Symbol as shown in Section 1421.Appendix A of this Part and the word "biohazard"; and
 - 2) The word "sharps".
- d) Containers which are not the inner or outer containers are exempt from the labeling requirements in subsection (a) of this Section. Packages may be placed in a transparent container provided that all required markings are legible through the transparent container. A non-rigid transparent container cannot be used as an outer container.
- e) For oversized PIMW, the following requirements must be met prior to shipment:

1) The generator shall:

- A) Mark on one side of the outer package in lettering that is readable at a minimum distance of five (5) feet the International Biohazard Symbol as shown in Section 1421.Appendix A of this Part and the word "biohazard".
- B) Mark with indelible ink in lettering that is legible on a water-resistant label or tag securely attached to or marked on the outer package:

- i) The generator's name,
 - ii) The generator's address, and
 - iii) The generator's phone number (a 24-hour phone number, if available).
- 2) The transporter shall mark with indelible ink in lettering that is legible on a water-resistant label or tag securely attached to or marked on the outer package:
- A) The transporter's name,
 - B) The transporter's permit number,
 - C) The transporter's address,
 - D) The transporter's phone number (a 24-hour phone number, if available), and
 - E) For each PIMW package, the shipment date when PIMW initially left the generator's site; or for each shipment, a unique identification number which directly corresponds to the initial date of shipment.
- f) When PIMW is transported by more than one transporter, each transporter shall mark with indelible ink in lettering that is legible on a water-resistant label or tag securely attached to or marked on the outer package the information listed in subsection (a)(2) of this Section. The label, tag or mark must not obscure any previous information on the package.

SUBPART E: TRANSPORTATION

Section 1421.140 Scope and Applicability

This Subpart applies to persons who transport PIMW and are required to have a PIMW hauling permit in accordance with 35 Ill. Adm. Code 1420.105 of this Subtitle.

Section 1421.141 Standards and Criteria

- a) PIMW must be transported under conditions to minimize the effects of putrescence.

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- b) Packages of PIMW must be transported only in enclosed compartments of vehicles that are secured against public access when unattended. This requirement does not apply to oversized PIMW, which must be handled in a manner that minimizes contact with transport workers and the public.
- c) Vehicles and associated storage compartments, doors, piping, and valving must be:
 - 1) Cleaned of visible PIMW contamination after each use; and
 - 2) In good repair when transporting PIMW.
- d) PIMW must be transported in a manner that prevents a breeding place or food source for vectors.
- e) During transport, a PIMW package must not be compacted or subject to stress that compromises the integrity of the container.
- f) Residues from the cleaning of vehicles contaminated by PIMW are regulated under this Subtitle, except when discharged directly into a sanitary or combined sewer in accordance with 35 Ill. Adm. Code Subtitle C.

BOARD NOTE: Interested persons are informed that local ordinances may also cover discharges to sewer systems.

- g) Vehicles transporting PIMW must display information in accordance with the PIMW hauling permit.
- h) The transporter shall develop and keep an emergency response plan in the vehicle. This plan must identify the names and telephone numbers of state and local authorities who must be contacted in the event of an emergency or discharge. In the event of an emergency or discharge of PIMW, the transporter shall take immediate action in accordance with the emergency response plan to protect the health and safety of the public and the environment. In addition, each vehicle transporting PIMW must carry all equipment necessary to provide a response.
- i) Vehicles transporting PIMW must not be used for the hauling of non-waste materials, with the exception of equipment and supplies intended for the use of waste

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management including scales, bar coding equipment, printers, stampers, manifests, logs, dollies, load locks, conveyers, material handling equipment, plastic containers, corrugated boxes, plastic bags, tape, sharps containers, drums, labels, signs, stickers, spill kits, new PIMW containers or PIMW containers that have been cleaned and disinfected in accordance with 35 Ill. Adm. Code 1420.107 of this Subtitle.

- j) PIMW must not be in transport for more than ten (10) calendar days.
- k) This Subpart does not apply to the United States Postal Service.
- l) COMMENCING MARCH 31, 1993, AND ANNUALLY THEREAFTER, EACH TRANSPORTER OF PIMW REQUIRED TO HAVE A PERMIT UNDER SUBSECTION (f) OF SECTION 56.1 OF THE ACT SHALL FILE A REPORT WITH THE AGENCY SPECIFYING THE QUANTITIES AND DISPOSITION OF PIMW TRANSPORTED DURING THE PREVIOUS CALENDAR YEAR. SUCH REPORTS SHALL BE ON FORMS PRESCRIBED AND PROVIDED BY THE AGENCY. (Section 56.3 of the Act)

Section 1421.Appendix A: International Biohazard Symbol



NOTICE OF PROPOSED AMENDMENT

1) Heading of the Part: General Provisions2) Code Citation: 35 Ill. Adm. Code 14203) Section Numbers:

1420.101	Amendment
1420.102	Amendment
1420.103	New Section
1420.104	New Section
1420.105	New Section
1420.106	New Section
1420.107	New Section
1420.120	New Section

4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1056.2 and 1027.5) A Complete Description of the Subjects and Issues

Involved: A complete description is contained in the Board's Opinion of December 3, 1992, in R91-20, which Opinion is available from the address below. This rulemaking is part of the proceeding entitled Potentially Infectious Medical Waste (PIMW): Treatment, Storage, and Transfer Facilities and Transportation, Packaging, and Labeling. Docket R91-20. As the title indicates, these proposed rules would govern how medical waste is to be handled. Interested persons are especially referred to proposed section 1420.105 which contains proposed exemptions for certain types of operations. Most of these exemptions are also contained in Section 56.1 of the Environmental Protection Act.

6) Will this proposed rule replace an emergency rule currently in effect? No7) Does this rulemaking contain an automatic repeal date? No8) Does this proposed amendment contain incorporations by reference? Yes9) Are there any other amendments pending on this Part? No10) Statement of Statewide Policy Objectives:

The proposed amendments (rules) would not require a local government to establish, expand, or modify its activities in

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such a way as to necessitate additional expenditures from local revenues.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

This Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference Docket R91-20 and be addressed to:

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center
100 W. Randolph Suite, Suite 11-500
Chicago, IL 60601

12) Initial Regulatory Flexibility Analysis:A) Date rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs:
December 3, 1992.B) Types of small businesses affected:
Those engaged in treatment, storage, transfer, transportation, packaging, and labeling of PIMW.C) Reporting, bookkeeping or other procedures required for compliance: Permits are required pursuant to Section 56.1 of the Environmental Protection Act and proposed Sections 1420.104 and 105 of this Part.D) Types of professional skills necessary for compliance:
None known.

The full text of the Proposed Amendments begins on the next page:

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TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE M: BIOLOGICAL MATERIALS
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER b: POTENTIALLY INFECTIOUS MEDICAL WASTES

PART 1420
GENERAL PROVISIONS

Section	
1420.101	Scope and Applicability
1420.102	Definitions
1420.103	Incorporations by Reference
1420.104	Prohibitions
1420.105	Permit and Manifest Requirements and Exceptions
1420.106	Penalty Factor
1420.107	Cleaning and Disinfection
1420.120	Severability

AUTHORITY: Implementing and authorized by Sections 56.2(e) and 27 of the Environmental Protection Act (Ill. Rev. Stat. 198991, ch. 111 1/2, pars. 1056.2(e), as added by P.A. 87-752 effective January 1, 1992, as amended by P.A. 87-1097, effective January 1, 1993, and 1027).

SOURCE: Adopted in R91-19, at 16 Ill. Reg. 2594, effective February 3, 1992; amended in R91-20 at Ill. Reg. _____, effective _____.

NOTE: Capitalization denotes statutory language.

1420.101 Scope and Applicability

a) This Subtitle applies to all persons who generate, transport, treat, store, or dispose of potentially infectious medical waste. It sets forth standards for such activities occurring in whole or in part within the State of Illinois.

b) This Part sets forth definitions that apply throughout this Subtitle except as specifically provided otherwise.

BOARD NOTE: Section 56.2(d) requires the Board to repeal pre-existing rules for handling medical wastes by January 1, 1992. Section 56.2(e) requires the Board to adopt by January 1, 1992 a list of Class 4 etiologic agents, which lends operative meaning to "isolation waste," as that term is used in the statutory definition of potentially infectious medical waste at

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Section 3.81. Section 56.2(a) and (e) require the Board to adopt standards for the transportation, packaging, segregation, labeling, and marking of potentially infectious medical waste by January 1, 1993. Section 56.2(f) authorizes additional rules to promote the purposes of Title XV of the Environmental Protection Act (Ill. Rev. Stat. 1989 ch. 111, par. 1001 et seq., as amended by P.A. 87-752, effective January 1, 1992).

(Source: Amended at _____ Ill. Reg. _____, effective _____)

Section 1420.102 Definitions

All definitions set forth in this Section shall have the following meanings throughout this Subtitle, unless specifically provided otherwise. Words and terms not defined have the meanings set forth in the Act.

"Act" means the Environmental Protection Act (Ill. Rev. Stat. 198991, ch. 111 1/2, par. 1001 et seq., as amended by P.A. 87-1097, effective January 1, 1993-752 and P.A. 87-650, both effective January 1, 1992).

"Agency" means the Illinois Environmental Protection Agency.

"ATCC" means American Type Culture Collection.

"Board" means the Illinois Pollution Control Board.

"CFU" means colony forming unit.

"Chemical treatment" means the treatment of PIMW in a unit that uses disinfectants or chemicals as the primary means to eliminate the infectious potential of the waste. Examples of chemical treatment are ethylene oxide, chlorine, and ozone.

"Class 4 etiologic agent" means a pathogenic agent that is extremely hazardous to laboratory personnel or that may cause serious epidemic disease. Class 4 etiologic agent includes the following viral agents:

Alastrim, Smallpox, Monkey pox, and Whitepox (when used for transmission or animal inoculation experiments)

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Hemorrhagic fever agents (including Crimean hemorrhagic fever (Congo), Junin, and Machupo viruses, and other not yet defined)

Herpesvirus simiae (Monkey B virus)

Lassa virus

Marburg virus

Tick-borne encephalitis virus complex (including Absettarov, Hanzalova, HYPR, Kumlange, Russian spring-summer encephalitis, Kyasanur forest disease, Omsk hemorrhagic fever, and Central European encephalitis viruses)

Venezuelan equine encephalitis virus (epidemic strains, when used for transmission or animal inoculation experiments)

Yellow fever virus (wild, when used for transmission or animal inoculation experiments)

BOARD NOTE: A Class 4 Agent helps define an "isolation waste" for the purposes of Section 3.814(a)(6) of the Act and this Subtitle. This listing derives from the CDC document, "Classification of Etiologic Agents on the Basis of Hazard," and is supplemented from the CDC/NIH document "Biosafety in Microbiological and Biomedical Laboratories."

"Container" means a receptacle that does not contain PIMW.

"Detergent" means a cleansing substance that contains surface-active agents for rapid wetting, penetration, and emulsification of fats and oils, plus a sequestering agent.

"Detergent-sanitizer cleaner" means an agent that is both a detergent and sanitizer. The sanitizer must be registered by the United States Environmental Protection Agency, as identified on its label.

"Discharge" means the accidental or intentional spilling, leaking, pumping, pouring, emitting, emptying or dumping of waste into or on any land or water. This

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does not include the normal loading and unloading of PIMW from a vehicle.

"Enclosed compartment" means a compartment that provides protection from the elements, prevents spillage, and prevents containers from falling off the vehicle. The enclosed compartment cannot be used to meet the packaging requirements of 35 Ill. Adm. Code 1421.Subpart C.

"Equivalent log kill" (T) means the logarithm of the indicator microorganisms that must be killed and correlates, at a minimum, to a 6-log reduction of viable test microorganisms.

"HIGHLY COMMUNICABLE DISEASE" MEANS THOSE DISEASES IDENTIFIED AS CLASS 4 ETIOLOGIC AGENTS under this Part. (Section 3.814(a)(6) of the Act)

"Indicator microorganisms" means those microorganisms listed in 35 Ill. Adm. Code 1422.Appendix A, Table B, as classified by ATCC.

"International Biohazard Symbol" means the symbol that is shown in 35 Ill. Adm. Code 1421.Appendix A.

"Irradiation treatment" means the treatment of PIMW in a unit that uses ionizing radiation as the primary means to eliminate the infectious potential of the waste. Examples of irradiation treatment are gamma (cobalt 60) and electron beam.

"ISOLATION WASTE" MEANS DISCARDED WASTE MATERIALS CONTAMINATED WITH BLOOD, EXCRETIONS, EXUDATES, AND SECRETIONS FROM HUMANS THAT ARE ISOLATED TO PROTECT OTHERS FROM HIGHLY COMMUNICABLE DISEASES. (Section 3.81(a)(6) of the Act)

"Log" means logarithm to the base ten (10).

"Log kill" (L) means the difference between the logarithms of viable test microorganisms or indicator microorganisms before and after treatment.

"Low-level disinfection" means a process that causes the death of most bacteria except Mycobacterium tuberculosis and M. bovis, lipid-enveloped and medium-sized viruses (e.g., herpes simplex virus,

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cytomegalovirus, respiratory syncytial virus, hepatitis B virus, and human immunodeficiency virus), and fungi (e.g., Trichophyton sp., Cryptococcus sp., and Candida sp.).

"Oversized PIMW" means a single waste item that is too large to be placed into a thirty-three (33) gallon bag or container.

"Registered land surveyor" means a person registered under the Illinois Land Surveyors Act (Ill. Rev. Stat. 1989, ch. 111, pars. 3201 et seq.).

"Registered professional engineer" means a person registered under the Illinois Professional Engineering Act (Ill. Rev. Stat. 1989, ch. 111, par. 5101 et seq.).

"Package" means a receptacle that contains PIMW.

"PFU" means plaque forming unit.

"POTENTIALLY INFECTIOUS MEDICAL WASTE" or "PIMW" MEANS THE FOLLOWING TYPES OF WASTE GENERATED IN CONNECTION WITH THE DIAGNOSIS, TREATMENT (I.E., PROVISION OF MEDICAL SERVICES), OR IMMUNIZATION OF HUMAN BEINGS OR ANIMALS; RESEARCH PERTAINING TO THE PROVISION OF MEDICAL SERVICES; OR THE PROVISION OR TESTING OF BIOLOGICALS:

~~CULTURES AND STOCKS;~~

~~HUMAN PATHOLOGICAL WASTES;~~

~~HUMAN BLOOD AND BLOOD PRODUCTS~~

~~USED SHARPS;~~

~~ANIMAL WASTE;~~

~~ISOLATION WASTE; AND~~

~~UNUSED SHARPS.~~

CULTURES AND STOCKS. THIS WASTE SHALL INCLUDE BUT NOT BE LIMITED TO CULTURES AND STOCKS OF AGENTS INFECTIOUS TO HUMANS, AND ASSOCIATED BIOLOGICALS; CULTURES FROM MEDICAL OR PATHOLOGICAL LABORATORIES; CULTURES AND STOCKS OF INFECTIOUS

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AGENTS FROM RESEARCH AND INDUSTRIAL LABORATORIES; WASTES FROM THE PRODUCTION OF BIOLOGICALS; DISCARDED LIVE OR ATTENUATED VACCINES; OR CULTURE DISHES AND DEVICES USED TO TRANSFER, INOCULATE, OR MIX CULTURES.

HUMAN PATHOLOGICAL WASTES. THIS WASTE SHALL INCLUDE TISSUE, ORGANS, AND BODY PARTS (EXCEPT TEETH AND THE CONTIGUOUS STRUCTURES OF BONE AND GUM). BODY FLUIDS THAT ARE REMOVED DURING SURGERY, AUTOPSY, OR OTHER MEDICAL PROCEDURES; OR SPECIMENS OF BODY FLUIDS AND THEIR CONTAINERS.

HUMAN BLOOD AND BLOOD PRODUCTS. THIS WASTE SHALL INCLUDE DISCARDED HUMAN BLOOD, BLOOD COMPONENTS (E.G., SERUM AND PLASMA), OR SATURATED MATERIAL CONTAINING FREE FLOWING BLOOD OR BLOOD COMPONENTS.

USED SHARPS. THIS WASTE SHALL INCLUDE BUT NOT BE LIMITED TO DISCARDED SHARPS USED IN ANIMAL OR HUMAN PATIENT CARE, MEDICAL RESEARCH, OR CLINICAL OR PHARMACEUTICAL LABORATORIES; HYPODERMIC, INTRAVENOUS, OR OTHER MEDICAL NEEDLES; HYPODERMIC OR INTRAVENOUS SYRINGES; PASTEUR PIPETTES; SCALPEL BLADES; OR BLOOD VIALS. THIS WASTE SHALL ALSO INCLUDE BUT NOT BE LIMITED TO OTHER TYPES OF BROKEN OR UNBROKEN GLASS (INCLUDING SLIDES AND COVER SLIPS) IN CONTACT WITH INFECTIOUS AGENTS.

ANIMAL WASTE. ANIMAL WASTE MEANS DISCARDED MATERIALS, INCLUDING CARCASSES, BODY PARTS, BODY FLUIDS, BLOOD, OR BEDDING ORIGINATING FROM ANIMALS INOCULATED DURING RESEARCH, PRODUCTION OF BIOLOGICALS, OR PHARMACEUTICAL TESTING WITH AGENTS INFECTIOUS TO HUMANS.

ISOLATION WASTE. THIS WASTE SHALL INCLUDE DISCARDED MATERIALS CONTAMINATED WITH BLOOD, EXCRETIONS, EXUDATES, AND SECRETIONS FROM HUMANS THAT ARE ISOLATED TO PROTECT OTHERS FROM HIGHLY COMMUNICABLE DISEASES. "HIGHLY COMMUNICABLE DISEASES" MEANS THOSE DISEASES IDENTIFIED BY THE BOARD IN RULES ADOPTED UNDER SUBSECTION (e) OF SECTION 56.2 OF THE ACT. (See Section 1420.102 of this Part).

UNUSED SHARPS. THIS WASTE SHALL INCLUDE BUT NOT BE LIMITED TO THE FOLLOWING UNUSED, DISCARDED

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SHARPS: HYPODERMIC, INTRAVENOUS, OR OTHER NEEDLES; HYPODERMIC OR INTRAVENOUS SYRINGES; OR SCALPEL BLADES.

POTENTIALLY INFECTIOUS MEDICAL WASTE DOES NOT INCLUDE THE FOLLOWING:

WASTE GENERATED AS GENERAL HOUSEHOLD WASTE;

WASTE (EXCEPT FOR SHARPS) FOR WHICH THE INFECTIOUS POTENTIAL HAS BEEN ELIMINATED BY TREATMENT; OR

SHARPS THAT MEET BOTH OF THE FOLLOWING CONDITIONS:

THE INFECTIOUS POTENTIAL HAS BEEN ELIMINATED FROM THE SHARPS BY TREATMENT; AND

THE SHARPS ARE RENDERED UNRECOGNIZABLE BY TREATMENT. (Section 3.814 of the Act)

"Putrescence" means the partial decomposition of organic matter by microorganisms so as to cause malodors, gases, or other offensive conditions, or that is capable of providing food for vectors.

"Reusable container" means a receptacle that meets the requirements of 35 Ill. Adm. Code 1421.121(a) and (b); is made and repaired with materials that are corrosion resistant, non-absorbent, and smooth; and designed and constructed so as to easily permit cleaning and disinfection in accordance with Section 1420.107 of this Subtitle. A reusable container is not a single-use container or is not made of cardboard.

"Sanitizer" means an antimicrobial agent that is intended for application to inanimate objects or surfaces for the purpose of reducing the microbial count to safe levels. The sanitizer must be registered by the United States Environmental Protection Agency, as identified on its label.

"Sharps" mean unused sharps and used sharps as stated in the definition of potentially infectious medical waste in this Section with or without residual fluids.

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"Significant mechanical change" means the substitution or addition of mechanical parts that result in different operating conditions. A significant mechanical change does not mean the replacement of a part(s) that meets the same specifications as the original part.

"Single-use container" means a container intended by the manufacturer for one use only, such as biohazard bags.

"SITE" MEANS ANY LOCATION, PLACE, TRACT OF LAND, AND FACILITIES, INCLUDING BUT NOT LIMITED TO BUILDINGS, AND IMPROVEMENTS USED FOR PURPOSES SUBJECT TO REGULATION OR CONTROL BY THIS ACT OR REGULATIONS THEREUNDER. (Section 3.43 of the Act). For the purpose of this Subtitle, each campus of an educational institution is considered to be a single site.

"6-log reduction" means a 6 decade reduction or a one millionth (0.000001) survival probability in a microbial population.

"STORAGE" MEANS THE CONTAINMENT OF WASTE, EITHER ON A TEMPORARY BASIS OR FOR A PERIOD OF YEARS, IN SUCH A MANNER AS NOT TO CONSTITUTE DISPOSAL. (Section 3.46 of the Act)

"STORAGE SITE" means A SITE AT WHICH WASTE IS STORED. "STORAGE SITE" INCLUDES TRANSFER STATIONS. (Section 3.47 of the Act)

"Test microorganisms" means those microorganisms listed in Section 1422.Appendix A, Table A, as classified by ATCC.

"Thermal treatment" means the treatment of PIMW in a unit that uses elevated temperatures as the primary means to eliminate the infectious potential of the waste. Examples of thermal treatment are incineration, steam sterilization, microwaving, radiowaving, infrared heating, pyrolysis, plasma systems, and laser treatments.

"TRANSFER STATION" MEANS A SITE OR FACILITY THAT ACCEPTS WASTE FOR TEMPORARY STORAGE OR CONSOLIDATION AND FURTHER TRANSFER TO A WASTE DISPOSAL, TREATMENT OR STORAGE FACILITY. "TRANSFER STATION" INCLUDES A SITE

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WHERE WASTE IS TRANSFERRED FROM (1) A RAIL CARRIER TO A MOTOR VEHICLE OR WATER CARRIER; (2) A WATER CARRIER TO A RAIL CARRIER OR MOTOR VEHICLE; (3) A MOTOR VEHICLE TO A RAIL CARRIER, WATER CARRIER OR MOTOR VEHICLE; (4) A RAIL CARRIER TO A RAIL CARRIER, IF THE WASTE IS REMOVED FROM A RAIL CAR; OR (5) A WATER CARRIER TO A WATER CARRIER, IF THE WASTE IS REMOVED FROM A VESSEL.
(Section 3.83 of the Act)

"TREATMENT" MEANS ANY METHOD, TECHNIQUE OR PROCESS, INCLUDING NEUTRALIZATION, DESIGNED TO CHANGE THE PHYSICAL, CHEMICAL, OR BIOLOGICAL CHARACTER OR COMPOSITION OF ANY WASTE SO AS TO NEUTRALIZE IT OR RENDER IT NONHAZARDOUS, SAFER FOR TRANSPORT, AMENABLE FOR RECOVERY, AMENABLE FOR STORAGE, OR REDUCED IN VOLUME. SUCH TERM INCLUDES ANY ACTIVITY OR PROCESSING DESIGNED TO CHANGE THE PHYSICAL FORM OR CHEMICAL COMPOSITION OF HAZARDOUS WASTE SO AS TO RENDER IT NONHAZARDOUS. (Section 3.49 of the Act)

"Unrecognizable" means relating to a sharp that has undergone physical alteration (e.g., melting, charring, corroding, or grinding) so that the sharp may no longer be used for its intended purpose.

"vector" means any living agent, other than human, capable of transmitting, directly or indirectly, an infectious disease.

"vehicle" means any device used to transport special waste in bulk or in packages, tanks or other containers.

(Source: Amended at Ill. Reg. _____, effective _____)

Section 1420.103 Incorporations by Reference

The following materials are incorporated by reference. This Section incorporates no later editions or amendments.

Standard Methods for the Examination of Water and Wastewater, American Public Health Association et al. (1015 Fifteenth Street, N.W., Washington, D.C. 20005) (17th Edition, 1989).

Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, EPA Publication SW-846

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(Third Edition, 1986 as amended by Update I (November, 1990)). SW-846 and Update I are available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, (202) 783-3238.

(Source: Added at Ill. Reg. _____, effective _____)

Section 1420.104 Prohibitions

NO PERSON SHALL

a) CAUSE OR ALLOW THE DISPOSAL OF ANY PIMW. SHARPS MAY BE DISPOSED IN ANY LANDFILL PERMITTED BY THE AGENCY UNDER SECTION 21 OF THE ACT TO ACCEPT MUNICIPAL WASTE FOR DISPOSAL, IF BOTH:

1) THE INFECTIOUS POTENTIAL HAS BEEN ELIMINATED FROM THE SHARPS BY TREATMENT; AND

2) THE SHARPS ARE PACKAGED IN ACCORDANCE WITH Part 1421, Subpart c of this Subtitle.

b) CAUSE OR ALLOW THE DELIVERY OF ANY PIMW FOR TRANSPORT, STORAGE, TREATMENT OR TRANSFER EXCEPT IN ACCORDANCE WITH Part 1421, Subpart c of this Subtitle.

c) BEGINNING JULY 1, 1992, CAUSE OR ALLOW THE DELIVERY OF ANY PIMW TO A PERSON OR FACILITY FOR STORAGE, TREATMENT, OR TRANSFER THAT DOES NOT HAVE A PERMIT ISSUED BY THE AGENCY TO RECEIVE PIMW pursuant to Section 39 of the Act, UNLESS NO PERMIT IS REQUIRED pursuant to subsection 1420.105(b) of this Part.

d) BEGINNING JULY 1, 1992, CAUSE OR ALLOW THE DELIVERY OR TRANSFER OF ANY PIMW FOR TRANSPORT UNLESS:

1) THE TRANSPORTER HAS A PERMIT ISSUED BY THE AGENCY TO TRANSPORT PIMW, OR THE TRANSPORTER IS EXEMPT FROM THE PERMIT REQUIREMENT pursuant to subsection 1420.105(a) of this Part. Permit applications must be submitted on forms provided by the Agency.

2) A PIMW MANIFEST IS COMPLETED FOR THE WASTE unless no manifest is required pursuant to subsection 1420.105(c) of this Part.

e) CAUSE OR ALLOW THE ACCEPTANCE OF ANY PIMW FOR PURPOSES

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OF TRANSPORT, STORAGE, TREATMENT, OR TRANSFER EXCEPT IN ACCORDANCE WITH Part 1421, Subpart C of this Subtitle and Part 1422, Subpart B of this Subtitle.

f) BEGINNING JULY 1, 1992, CONDUCT ANY PIMW TRANSPORTATION OPERATION:

- 1) WITHOUT A PERMIT ISSUED BY THE AGENCY TO TRANSPORT PIMW, unless no permit is required pursuant to subsection 1420.105(a) of this Part.
- 2) IN VIOLATION OF ANY CONDITION OF ANY PERMIT ISSUED BY THE AGENCY UNDER the ACT.
- 3) IN VIOLATION OF ANY REGULATION ADOPTED BY THE BOARD.
- 4) IN VIOLATION OF ANY ORDER ADOPTED BY THE BOARD UNDER the ACT.

g) BEGINNING JULY 1, 1992, CONDUCT ANY PIMW TREATMENT, STORAGE, OR TRANSFER OPERATION:

- 1) WITHOUT A PERMIT ISSUED BY THE AGENCY THAT SPECIFICALLY AUTHORIZES THE TREATMENT, STORAGE, OR TRANSFER OF PIMW pursuant with Section 39 of the Act, unless no permit is required pursuant to subsection 1420.105(b) of this Part. Permit applications must be submitted on forms provided by the Agency.

2) IN VIOLATION OF ANY CONDITION OF ANY PERMIT ISSUED BY THE AGENCY UNDER the ACT.

3) IN VIOLATION OF ANY REGULATIONS ADOPTED BY THE BOARD.

4) IN VIOLATION OF ANY ORDER ADOPTED BY THE BOARD UNDER the ACT.

h) TRANSPORT PIMW UNLESS THE TRANSPORTER CARRIES A COMPLETED PIMW MANIFEST, unless no manifest is required pursuant to subsection 1420.105(c) of this Part.

i) OFFER FOR TRANSPORTATION, TRANSPORT, DELIVER, RECEIVE OR ACCEPT PIMW FOR WHICH A MANIFEST IS REQUIRED, UNLESS THE MANIFEST INDICATES THAT THE FEE REQUIRED UNDER SECTION 56.4 of the ACT HAS BEEN PAID.

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j) BEGINNING JANUARY 1, 1994, CONDUCT A PIMW TREATMENT OPERATION AT AN INCINERATOR IN EXISTENCE ON THE EFFECTIVE DATE OF THIS TITLE IN VIOLATION OF EMISSION STANDARDS ESTABLISHED FOR THESE INCINERATORS UNDER SECTION 129 OF THE CLEAN AIR ACT (42 USC 7429), AS AMENDED. (Section 56.1 of the Act)

- k) Cause or allow the discharge of PIMW from a vehicle.
- l) Cause or allow the discharge of PIMW into a sanitary or combined sewer except in accordance with 35 Ill. Adm. Code. Subtitle C. No person shall cause or allow the discharge of inert or solid PIMW, or inert or solid materials resulting from the treatment of PIMW, into any sanitary sewerage system, combined sewerage system, or storm sewerage system directly or indirectly tributary to waters of the State. Such prohibition applies to, but is not limited to, absorbents, aluminum or other metallic foils, ash, bone, bedding materials, cellulose, culture dishes, garments and other cloth materials, gauze, glass, pads, plastic, sharps, shavings, straw and syringes.

BOARD NOTE: Interested persons are informed that local ordinances may also cover discharges to sewer systems.

(Source: Added at ___ Ill. Reg. ___, effective
(_____))

Section 1420.105 Permit and Manifest Requirements and
Exceptions

a) A person who conducts a PIMW transportation operation is required to obtain a PIMW hauling permit from the Agency, except:

- 1) A PERSON TRANSPORTING PIMW GENERATED SOLELY BY THAT PERSON'S ACTIVITIES; OR
 - 2) NONCOMMERCIAL TRANSPORTATION OF LESS THAN 50 POUNDS OF POTENTIALLY INFECTIOUS MEDICAL WASTE AT ANY ONE TIME; OR
 - 3) THE U.S. POSTAL SERVICE. (Section 56.1(f) of the Act).
- b) A person who conducts a PIMW treatment, storage, or transfer operation is required to obtain a permit from

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the Agency, except:

1) ANY PERSON CONDUCTING A PIMW TREATMENT, STORAGE, OR TRANSFER OPERATION FOR PIMW GENERATED BY THE PERSON'S OWN ACTIVITIES THAT ARE TREATED, STORED, OR TRANSFERRED WITHIN THE SITE WHERE THE PIMW IS GENERATED; OR

2) ANY HOSPITAL THAT TREATS, STORES, OR TRANSFERS ONLY PIMW GENERATED BY ITS OWN ACTIVITIES OR BY MEMBERS OF ITS MEDICAL STAFF. (Section 56.1(g) of the Act). If the transportation of PIMW is interrupted so as not to constitute storage, no permit is required under Section 56.1(g) of the Act. For example, transportation of PIMW interrupted by vehicle repairs or inclement weather does not constitute storage.

c) In a permit application, the engineering features of plans, specifications, and reports must be certified by a registered professional engineer and must bear the registered professional engineer's seal and signature along with the signature or seal of any registered land surveyor who has supplied data contained in the submittal. References are to be included when such data are obtained from published sources.

d) Any person who transports PIMW is required to carry a completed PIMW manifest except for the transportation of:

1) PIMW BEING TRANSPORTED BY GENERATORS WHO GENERATED THE WASTE BY THEIR OWN ACTIVITIES, WHEN THE PIMW IS TRANSPORTED WITHIN OR BETWEEN SITES OR FACILITIES OWNED, CONTROLLED, OR OPERATED BY THAT PERSON; OR

2) LESS THAN 50 POUNDS OF PIMW AT ANY ONE TIME FOR A NONCOMMERCIAL TRANSPORTATION ACTIVITY; OR

3) PIMW BY THE U.S. POSTAL SERVICE. (Section 56.1(h) of the Act)

(Source: Added at Ill. Reg. _____, effective _____)

Section 1420.106 Penalty Factor

IN MAKING ITS ORDERS AND DETERMINATIONS RELATIVE TO PENALTIES, IF ANY, TO BE IMPOSED FOR VIOLATING SECTION 56.1(a) OF THE ACT, THE BOARD, IN ADDITION TO THE FACTORS IN SECTIONS 33(c) AND 42(h) OF THE ACT, OR THE COURT SHALL TAKE INTO CONSIDERATION WHETHER THE OWNER OR OPERATOR OF THE LANDFILL REASONABLY RELIED ON WRITTEN STATEMENTS FROM THE PERSON GENERATING OR TREATING THE WASTE THAT THE WASTE IS NOT POTENTIALLY INFECTIOUS MEDICAL WASTE. (Section 56.1(k) of the Act)

(Source: Added at Ill. Reg. _____, effective _____)

Section 1420.107 Cleaning and Disinfection

a) Cleaning and disinfection comprises:

- 1) Washing with a solution of detergent used in accordance with manufacturer's instructions and agitation to remove visible contamination from each surface, followed by a clean water rinse; and
- 2) One of the following methods of low-level disinfection:

A) Exposure to hot water of at least 82 degrees Centigrade (180 degrees Fahrenheit) for a minimum of fifteen (15) seconds;

B) Rinsing with, or immersion in, a chemical disinfectant registered by the United States Environmental Protection Agency, as identified on its label and used in accordance with the manufacturer's instructions;

C) Rinsing with, or immersion in, a hypochlorite solution at a concentration of 50 ppm. For example, 1/8 cup of common household bleach (5.25% sodium hypochlorite) per gallon of tap water (31 mL bleach to 3.78 L of water); or

D) Other disinfection processes as approved by the Agency in writing as an equivalent to one of the methods in subsections (a)(2)(A) and (B) of this Section.

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- b) A detergent-sanitizer used in conjunction with agitation to remove visible contamination may be substituted for the methods in subsection (a) of this Section, if used in accordance with the manufacturer's instructions.

(Source: Added at ____ Ill. Reg. ____, effective ____)

Section 1420.120 Severability

If any Section, subsection, sentence or clause of this Subtitle is adjudged unconstitutional, invalid or otherwise not effective for any reason, such adjudication does not affect the validity of this Subtitle as a whole or of any Section, subsection, sentence or clause thereof not adjudged unconstitutional, invalid or otherwise not effective for any reason.

(Source: Added at ____ Ill. Reg. ____, effective ____)

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Aid to Families With Dependent Children
- 2) Code Citation: 89 Ill. Adm. Code 112
- 3) Section Number: Proposed Action:
112.127 Amendment
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, pars. 4-1 et seq. and 12-13)
- 5) Complete Description of the Subjects and Issues Involved: This rule change conforms agency policy with final federal regulations published July 8, 1992. If a household is ineligible for a specified number of months due to the receipt of a lump-sum payment and someone else moves into the household, a separate case will no longer be established for the new individual. The remaining period of ineligibility for the entire household will be recomputed based on the new higher standard of need.
- 6) Will these proposed amendments replace emergency amendments currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? Yes

Sections	Proposed Action	Illinois Register Citation
112.9	Amendment	September 4, 1992 (16 Ill. Reg. 13381)
112.70	Amendment	March 6, 1992 (16 Ill. Reg. 3335)
112.71	Amendment	March 6, 1992 (16 Ill. Reg. 3335)
112.72	Amendment	March 6, 1992 (16 Ill. Reg. 3335)
112.74	Amendment	March 6, 1992 (16 Ill. Reg. 3335)
112.78	Amendment	March 6, 1992 (16 Ill. Reg. 3335)
112.79	Amendment	March 6, 1992 (16 Ill. Reg. 3335)
112.82	Amendment	March 6, 1992 (16 Ill. Reg. 3335)
112.127	Amendment	August 28, 1992 (16 Ill. Reg. 13195)
112.153	Amendment	December 4, 1992 (16 Ill. Reg. 18216)
112.154	Repeal	September 25, 1992 (16 Ill. Reg. 14522)
112.330	Amendment	October 9, 1992 (16 Ill. Reg. 15277)

- 10) Statement of Statewide Policy Objectives: These proposed amendments do not affect units of local government.

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

11) Time, Place, and Manner in which Interested Persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning this proposed rulemaking. All comments must be in writing and should be addressed to Judy Umunna, Bureau of Rules and Regulations, Illinois Department of Public Aid, 100 South Grand Ave. E., 3rd Floor, Springfield, Illinois 62762. The Department will consider all written comments it receives within 30 days after the publication of this notice.

12) Initial Regulatory Flexibility Analysis:

- A) Date proposed rulemaking was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: Not applicable
- B) Types of small businesses affected: None
- C) Reporting, bookkeeping or other procedures required for compliance: None
- D) Types of professional skills necessary for compliance: None

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER B: ASSISTANCE PROGRAMS
PART 112
AID TO FAMILIES WITH DEPENDENT CHILDREN
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112.1	Description of the Assistance Program
112.5	Incorporation By Reference
	SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section	
112.8	Caretaker Relative
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EMERGENCY	
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SUBPART C: PROJECT CHANCE

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112.70	Participation Requirements For Project Chance
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112.74	Project Chance Initial Assessment Process/Development of an Employability Plan
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112.77	Conciliation and Fair Hearings
112.78	Project Chance Components
112.79	Project Chance Sanctions
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112.81 Responsible Relative Eligibility For Project Chance
112.82 Project Chance Supportive Services
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Members and Adjudicated Fathers
112.90 Project Advance Sanctions
112.91 Good Cause for Failure to Comply with Project Advance
112.93 Individuals Exempt From Project Advance
112.95 Project Advance Supportive Services

SUBPART F: EXCHANGE PROGRAM

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112.98

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SUBPART G: FINANCIAL FACTORS OF ELIGIBILITY

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112.100 Unearned Income
112.101 Unearned Income of Stepparent or Parent
112.105 Budgeting Unearned Income
112.106 Budgeting Unearned Income of Applicants Employed On Date of Application And/Or Date Of Decision
112.107 Initial Receipt of Unearned Income
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112.110 Exempt Unearned Income
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112.128 Protected Income
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112.131 Earned Income Tax Credit
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112.135 Budgeting Earned Income For Contractual Employees
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112.306 Foster Care Program
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112.320 Redetermination of Eligibility
112.330 Twelve Month Extension of Medical Assistance Due to Increased Income from Employment

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112.331 Four Month Extension of Medical Assistance Due to Child Support Collections
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 112.340 New Start Payments to Individuals Released from Department of Corrections Facilities

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 112.350 Child Care
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SUBPART K: TRANSITIONAL CHILD CARE

Section
 112.400 Transitional Child Care Eligibility
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 112.408 Qualified Child Care Providers
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 112.412 Participant Rights and Responsibilities
 112.414 Child Care Overpayments and Recoveries
 112.416 Fees for Service for Transitional Child Care
 112.418 Rates of Payment for Transitional Child Care

AUTHORITY: Implementing Article IV and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, pars. 4-1 et seq. and 12-13)

SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; peremptory amendment at 3 Ill. Reg. 46, p. 56, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amendment at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979, peremptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40,

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041, effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982, amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; rules repealed, new rules adopted and codified at 7 Ill. Reg. 907, effective January 11, 1983; rules repealed and new rules adopted and codified at 7 Ill. Reg. 2720, effective February 28, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 11284, effective August 26, 1983; amended at 7 Ill. Reg. 13920, effective October 7, 1983; amended at 7 Ill. Reg. 15690, effective November 9, 1983; amended (by adding sections being codified with no substantive change) at 7 Ill. Reg. 16105; amended at 7 Ill. Reg. 17344, effective December 21, 1983; amended at 8 Ill. Reg. 213, effective December 27, 1983; emergency amendment at 8 Ill. Reg. 569, effective January

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

1, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 4176, effective March 19, 1984; amended at 8 Ill. Reg. 5207, effective April 9, 1984; amended at 8 Ill. Reg. 7226, effective May 16, 1984; amended at 8 Ill. Reg. 11391, effective June 27, 1984; amended at 8 Ill. Reg. 12333, effective June 29, 1984; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17894, peremptory amendment at 8 Ill. Reg. 18127, effective October 1, 1984; peremptory amendment at 8 Ill. Reg. 19889, effective October 1, 1984; amended at 8 Ill. Reg. 19983, effective October 3, 1984; emergency amendment at 8 Ill. Reg. 21666, effective October 19, 1984 for a maximum of 150 days; amended at 8 Ill. Reg. 21621, effective October 23, 1984; amended at 8 Ill. Reg. 25023, effective December 19, 1984; amended at 9 Ill. Reg. 282, effective January 1, 1985; amended at 9 Ill. Reg. 4062, effective March 15, 1985; amended at 9 Ill. Reg. 8155, effective May 17, 1985; emergency amendment at 9 Ill. Reg. 10094, effective June 19, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 11317, effective July 5, 1985; amended at 9 Ill. Reg. 12795, effective August 9, 1985; amended at 9 Ill. Reg. 15887, effective October 4, 1985; amended at 9 Ill. Reg. 16277, effective October 11, 1985; amended at 9 Ill. Reg. 17827, effective November 18, 1985; emergency amendment at 10 Ill. Reg. 354, effective January 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 1172, effective January 10, 1986; amended at 10 Ill. Reg. 3641, effective January 30, 1986; amended at 10 Ill. Reg. 4885, effective March 7, 1986; amended at 10 Ill. Reg. 8118, effective May 1, 1986; amended at 10 Ill. Reg. 10628, effective June 1, 1986; amended at 10 Ill. Reg. 11017, effective June 6, 1986; Sections 112.78 through 112.86 and 112.88 reclassified to 89 Ill. Adm. Code 160 at 10 Ill. Reg. 11928; emergency amendment at 10 Ill. Reg. 12107, effective July 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 12650, effective July 14, 1986; amended at 10 Ill. Reg. 14681, effective August 29, 1986; amended at 10 Ill. Reg. 15101, effective September 5, 1986; amended at 10 Ill. Reg. 15621, effective September 19, 1986; amended at 10 Ill. Reg. 21860, effective December 12, 1986; amended at 11 Ill. Reg. 2280, effective January 16, 1987; amended at 11 Ill. Reg. 3140, effective January 30, 1987; amended at 11 Ill. Reg. 4682, effective March 6, 1987; amended at 11 Ill. Reg. 5223, effective March 11, 1987; amended at 11 Ill. Reg. 6228, effective March 20, 1987; amended at 11 Ill. Reg. 9927, effective May 15, 1987; amended at 11 Ill. Reg. 12003, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 12432, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 12908, effective July 30, 1987; emergency amendment at 11 Ill. Reg. 12935, effective August 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 13625, effective August 1, 1987; amended at 11 Ill. Reg. 14755, effective August 26, 1987; amended at 11 Ill. Reg. 18679, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 18781, effective November 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20114, effective December 4, 1987; Sections 112.90 and 112.95 reclassified to Sections 112.52 and 112.54 at 11 Ill. Reg. 20610; amended at 11 Ill. Reg. 20889, effective December 14, 1987; amended at 12 Ill. Reg. 844, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 1929, effective January 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 2126, effective January 12, 1988; SUBPARTS C, D and E reclassified to SUBPARTS G, H

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

and I at 12 Ill. Reg. 2136; amended at 12 Ill. Reg. 3487, effective January 22, 1988; amended at 12 Ill. Reg. 6159, effective March 18, 1988; amended at 12 Ill. Reg. 6694, effective March 22, 1988; amended at 12 Ill. Reg. 7336, effective May 1, 1988; amended at 12 Ill. Reg. 7673, effective April 20, 1988; amended at 12 Ill. Reg. 9032, effective May 20, 1988; amended at 12 Ill. Reg. 10481, effective June 13, 1988; amended at 12 Ill. Reg. 14172, effective August 30, 1988; amended at 12 Ill. Reg. 14669, effective September 16, 1988; amended at 13 Ill. Reg. 70, effective January 1, 1989; amended at 13 Ill. Reg. 6017, effective April 14, 1989; amended at 13 Ill. Reg. 8567, effective May 22, 1989; amended at 13 Ill. Reg. 16006, effective October 6, 1989; emergency amendment at 13 Ill. Reg. 16142, effective October 2, 1989, for a maximum of 150 days; emergency expired March 1, 1990; amended at 14 Ill. Reg. 705, effective January 1, 1990; amended at 14 Ill. Reg. 3170, effective February 13, 1990; amended at 14 Ill. Reg. 3575, effective February 23, 1990; amended at 14 Ill. Reg. 6306, effective April 16, 1990; amended at 14 Ill. Reg. 10379, effective June 20, 1990; amended at 14 Ill. Reg. 13652, effective August 10, 1990; amended at 14 Ill. Reg. 14140, effective August 17, 1990; amended at 14 Ill. Reg. 16937, effective September 30, 1990; emergency amendment at 15 Ill. Reg. 338, effective January 1, 1991, for a maximum of 150 days; emergency amendment at 15 Ill. Reg. 2862, effective February 4, 1991, for a maximum of 150 days; emergency expired July 4, 1991; amended at 15 Ill. Reg. 5275, effective April 1, 1991; amended at 15 Ill. Reg. 5684, effective April 10, 1991; amended at 15 Ill. Reg. 11127, effective July 19, 1991; amended at 15 Ill. Reg. 11447, effective July 25, 1991; amended at 15 Ill. Reg. 14227, effective September 30, 1991; amended at 15 Ill. Reg. 17308, effective November 18, 1991; amended at 16 Ill. Reg. 9972, effective June 15, 1992; emergency amendment at 16 Ill. Reg. 11652, effective July 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 11550, effective July 15, 1992; emergency amendment at 16 Ill. Reg. 13629, effective September 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 17724, effective November 9, 1992; amended at 17 Ill. Reg. _____, effective _____.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

SUBPART G: FINANCIAL FACTORS OF ELIGIBILITY

Section 112.127 Lump Sum Payments

- a) Income received either in the form of a one-time only payment that does not continue on a regular basis or in the form of a retroactive payment for income that continues on a regular basis is considered non-recurring lump sum income (i.e., a lump sum payment). Examples of non-recurring lump sum income are retroactive social security payments, retroactive unemployment insurance benefits, personal injury settlements, workers compensation injury settlements, lottery winnings, inheritances and insurance settlements.

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 112.127 (continued)

b) Any portion of the lump sum payment used to pay for expenses incurred as a result of the lump sum payment shall be exempt from consideration as non-recurring lump sum income as follows:

- 1) Personal Injury Settlement - That portion of a personal injury payment is exempt which is used to pay for:
 - A) necessary costs of litigation or settlement, including attorney's fees;
 - B) the Department's charge (See 89 Ill. Adm. Code § 102.260);
 - C) medical costs resulting from the injury and paid by the client;
 - D) expenses to repair or replace personal property which was damaged as a result of the injury.
- 2) Workers' Compensation Payment - That portion of a Workers' Compensation payment is exempt which is used to pay for:
 - A) necessary costs of litigation or settlement, including attorney's fees;
 - B) medical costs resulting from the injury and paid by the client.
- 3) Insurance Payments

A) Insurance Payments - That portion of an insurance payment received due to loss is exempt when used to:

- i) Repair or replace a lost or damaged resource including but not limited to repair or replacement of home, furniture, or clothing lost or damaged in a fire or flood and repair or replacement of a car as a result of an accident or fire;
 - ii) Pay the funeral/burial expenses not in excess of \$1500.00 of an insured where the client is the beneficiary of the insured's life insurance policy.
- B) Any insurance proceeds not spent or contracted to be spent as specified in subsection (b)(3)(A) within 60 days of receipt shall be budgeted as non-recurring lump sum income. A payment receipt shall be required as

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 112.127(b)(3)(B) (continued)

verification of any insurance-related expenses claimed as exempt under subsection (b)(3)(A).

- c) If the assistance unit receives lump sum payment income in any month which, together with all other income received, after application of the appropriate income deductions and exemptions of this Part, exceeds the applicable standard of need for that unit size (See 89 Ill. Adm. Code § 111.101), the assistance unit is ineligible for assistance for a specific period of time. The period of time of ineligibility is the whole number of months the total income received by the assistance unit (minus the deductions and exemptions) would meet the applicable standard of need. Any of this income left over after the above calculation shall be considered as income in the first month following the period of ineligibility.
- d) The assistance unit may apply to have the ineligibility period caused by receipt of non-recurring lump sum income shortened. The ineligibility period shall be shortened in the following situations:
 - 1) When the non-recurring lump sum payment or a portion of the payment becomes unavailable to the family because the family incurs a loss due to fire, flood or natural disaster which occurred during the ineligibility period. That amount of the lump sum payment the client spends or contracts to spend within sixty (60) days of the fire, flood or natural disaster to repair or replace the lost or damaged property shall be deducted from the lump sum income when recalculating the period of ineligibility.
 - 2) When the non-recurring lump sum payment or a portion of the lump sum payment becomes unavailable to the client due to payment of medical expenses which were incurred by a family member and paid in a month during the period of ineligibility caused by receipt of a lump sum payment. Only those expenses which the Department allows toward meeting spenddown (See 89 Ill. Adm. Code § 140.3) shall be considered allowable medical deductions when recalculating the period of ineligibility. The allowable medical expenses must have been incurred and paid during the ineligibility period. A payment receipt shall be required as verification.
- e) When an eligible dependent child joins the assistance unit during the period of ineligibility caused by receipt of a lump sum payment, a separate grant case may be established to provide cash and medical assistance for the new child. The period of ineligibility shall not change when an adult moves into the assistance unit.

ILLINOIS REGISTER

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Section 112.127 (continued)

- 3) When an individual who is otherwise eligible to be included in the assistance unit joins the assistance unit (e.g. newborn, return of a child or an adult) during the period of ineligibility caused by receipt of the lump sum payment. The increased standard of need for the new assistance unit size (See 89 Ill. Adm. Code 111.101) shall be used to recalculate the remaining period of ineligibility for the entire household.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

ILLINOIS REGISTER

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: General Assistance
- 2) Code Citation: 89 Ill. Adm. Code 114
- 3) Section Number: 114.223
Proposed Action: Amendment
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, par. 12-13)
- 5) Complete Description of the Subjects and Issues Involved: This rule change is being made to conform General Assistance policy with AFDC policy which was revised due to final federal regulations published July 8, 1992. If a household is ineligible for a specified number of months due to the receipt of a lump-sum payment and someone else moves into the household, a separate case will no longer be established for the new individual. The remaining period of ineligibility for the entire household will be recomputed based on the new higher standard of need. This rule change also exempts that portion of a life insurance payment used to pay the funeral, burial and medical expenses of the deceased. It applies to GA recipients who receive a life insurance settlement.
- 6) Will these proposed amendments replace emergency amendments currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? Yes

Sections	Proposed Action	Illinois Register Citation
114.9	Amendment	September 4, 1992 (16 Ill. Reg. 13395)
114.120	Amendment	October 16, 1992 (16 Ill. Reg. 15810)
114.121	Repeal	October 16, 1992 (16 Ill. Reg. 15810)
114.124	Repeal	October 16, 1992 (16 Ill. Reg. 15810)
114.125	Repeal	October 16, 1992 (16 Ill. Reg. 15810)
114.126	Repeal	October 16, 1992 (16 Ill. Reg. 15810)
114.127	Repeal	October 16, 1992 (16 Ill. Reg. 15810)
114.128	Repeal	October 16, 1992 (16 Ill. Reg. 15810)
114.129	Repeal	October 16, 1992 (16 Ill. Reg. 15810)
114.130	Repeal	October 16, 1992 (16 Ill. Reg. 15810)
114.135	Repeal	October 16, 1992 (16 Ill. Reg. 15810)
114.252	Amendment	December 4, 1992 (17 Ill. Reg. 18226)
114.270	Repeal	October 2, 1992 (16 Ill. Reg. 15008)

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NOTICE OF PROPOSED AMENDMENTS

Sections	Proposed Action	Illinois Register Citation
114.406	New Section	November 20, 1992 (16 Ill. Reg. 17459)
114.420	Amendment	October 2, 1992 (16 Ill. Reg. 15008)
114.430	Amendment	October 9, 1992 (16 Ill. Reg. 15287)
114.440	New Section	September 25, 1992 (16 Ill. Reg. 14538)

11) Time, Place, and Manner in which Interested Parties may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning this proposed rulemaking. All comments must be in writing and should be addressed to Judy Umunna, Bureau of Rules and Regulations, Illinois Department of Public Aid, 100 South Grand Ave. E., 3rd Floor, Springfield, Illinois 62762. The Department will consider all written comments it receives within 30 days after the publication of this notice.

10) Statement of Statewide Policy Objectives: These proposed amendments do not affect units of local government.

11) Time, Place, and Manner in which Interested Parties may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning this proposed rulemaking. All comments must be in writing and should be addressed to Judy Umunna, Bureau of Rules and Regulations, Illinois Department of Public Aid, 100 South Grand Ave. E., 3rd Floor, Springfield, Illinois 62762. The Department will consider all written comments it receives within 30 days after the publication of this notice.

12) Initial Regulatory Flexibility Analysis:

A) Date proposed rulemaking was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: Not applicable

B) Types of small businesses affected: None

C) Reporting, bookkeeping or other procedures required for compliance: None

D) Types of professional skills necessary for compliance: None

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 114
GENERAL ASSISTANCE

SUBPART A: GENERAL PROVISIONS

Section	Description of the Assistance Program
114.1	Determination of Not Employable
114.2	Incorporation By Reference

SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section	Client Cooperation
114.9	Citizenship
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AUTHORITY: Implementing Article VI and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, pars. 6-1 et seq. and 12-13)

SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; peremptory amendment at 2 Ill. Reg. 46, p. 56, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amendment at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979; peremptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory

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amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041, effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982; amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; rules repealed, new rules adopted and codified at 7 Ill. Reg. 907, effective January 7, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 9909, effective August 5, 1983; amended (by adding section being codified with no substantive change) at 7 Ill. Reg. 14747; amended (by adding section being codified with no substantive change) at 7 Ill. Reg. 16107; amended at 7 Ill. Reg. 16408, effective November 30, 1983; amended at 7 Ill. Reg. 16652, effective December 1, 1983; amended at 8 Ill. Reg. 243, effective December 27, 1983; amended at 8 Ill. Reg. 5233, effective April 9, 1984; amended at 8 Ill. Reg. 6764, effective April 27, 1984; amended at 8 Ill. Reg. 11435, effective June 27, 1984; amended at 8 Ill. Reg. 13319, effective July 16, 1984; amended at 8 Ill. Reg. 16237, effective August 24,

1984; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17896; amended at 9 Ill. Reg. 314, effective January 1, 1985; emergency amendment at 9 Ill. Reg. 823, effective January 3, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9557, effective June 5, 1985; amended at 9 Ill. Reg. 10764, effective July 5, 1985; amended at 9 Ill. Reg. 15800, effective October 16, 1985; amended at 10 Ill. Reg. 1924, effective January 17, 1986; amended at 10 Ill. Reg. 3660, effective January 30, 1986; emergency amendment at 10 Ill. Reg. 4646, effective February 3, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 4896, effective March 7, 1986; amended at 10 Ill. Reg. 10681, effective June 3, 1986; amended at 10 Ill. Reg. 11041, effective June 5, 1986; amended at 10 Ill. Reg. 12662, effective July 14, 1986; amended at 10 Ill. Reg. 15118, effective September 5, 1986; amended at 10 Ill. Reg. 15640, effective September 19, 1986; amended at 10 Ill. Reg. 19079, effective October 24, 1986; amended at 11 Ill. Reg. 2307, effective January 16, 1987; amended at 11 Ill. Reg. 5297, effective March 11, 1987; amended at 11 Ill. Reg. 6238, effective March 20, 1987; emergency amendment at 11 Ill. Reg. 12449, effective July 10, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 12948, effective August 1, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 18311, effective November 1, 1987; for a maximum of 150 days; amended at 11 Ill. Reg. 18689, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 18791, effective November 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20129, effective December 4, 1987; amended at 11 Ill. Reg. 20889, effective December 14, 1987; amended at 12 Ill. Reg. 889, effective January 1, 1988; SUBPARTS C, D and E recodified to SUBPARTS E, F and G at 12 Ill. Reg. 2147; Section 114.110 recodified to Section 114.52 at 12 Ill. Reg. 2984; amended at 12 Ill. Reg. 3505, effective January 22, 1988; amended at 12 Ill. Reg. 6170, effective March 18, 1988; amended at 12 Ill. Reg. 6719, effective March 22, 1988; amended at 12 Ill. Reg. 9108, effective May 20, 1988; amended at 12 Ill. Reg. 9699, effective May 24, 1988; amended at 12 Ill. Reg. 9940, effective May 31, 1988; amended at 12 Ill. Reg. 11474, effective June 30, 1988; amended at 12 Ill. Reg. 14255, effective August 30, 1988; emergency amendment at 12 Ill. Reg. 14364, effective September 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 16729, effective September 30, 1988; amended at 12 Ill. Reg. 20171, effective November 28, 1988; amended at 13 Ill. Reg. 89, effective January 1, 1989; amended at 13 Ill. Reg. 1546, effective January 20, 1989; amended at 13 Ill. Reg. 3900, effective March 10, 1989; amended at 13 Ill. Reg. 8580, effective May 20, 1989; emergency amendment at 13 Ill. Reg. 16169, effective October 2, 1989, for a maximum of 150 days; emergency expired March 1, 1990; amended at 13 Ill. Reg. 16015, effective October 6, 1989; amended at 14 Ill. Reg. 746, effective January 1, 1990; amended at 14 Ill. Reg. 3640, effective February 23, 1990; amended at 14 Ill. Reg. 6360, effective April 16, 1990; amended at 14 Ill. Reg. 10929, effective June 20, 1990; amended at 14 Ill. Reg. 13215, effective August 6, 1990; amended at 14 Ill. Reg. 13777, effective August 10, 1990; amended at 14 Ill. Reg. 14162, effective August 17, 1990; amended at 14 Ill. Reg. 17111, effective September 30, 1990; amended at 15 Ill. Reg. 288, effective January 1, 1991; amended at 15 Ill. Reg. 5710,

effective April 10, 1991; amended at 15 Ill. Reg. 11164, effective August 1, 1991; emergency amendment at 15 Ill. Reg. 15144, effective October 7, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3512, effective February 20, 1992; emergency amendment at 16 Ill. Reg. 4540, effective March 10, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 11662, effective July 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 13297, effective August 15, 1992; emergency amendment at 16 Ill. Reg. 13651, effective September 1, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14769, effective September 15, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 16276, effective October 1, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 17772, effective November 13, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 18815, effective November 24, 1992; amended at 17 Ill. Reg. _____, effective _____.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE

SUBPART E: FINANCIAL FACTORS OF ELIGIBILITY

Section 114.223 Lump Sum Payments

- a) Income received either in the form of a one-time only payment that does not continue on a regular basis or in the form of a retroactive payment for income that continues on a regular basis is considered non-recurring lump sum income (i.e., a lump sum payment). Examples of non-recurring lump sum income are retroactive social security payments, retroactive unemployment insurance benefits, personal injury settlements, workers compensation injury settlements, lottery winnings, inheritances and insurance settlements.
- b) Any portion of the lump sum payment used to pay for expenses incurred as a result of the lump sum payment shall be exempt from consideration as non-recurring lump sum income as follows:
- 1) Personal Injury Settlement - That portion of a personal injury payment is exempt which is used to pay for:
 - A) necessary costs of litigation or settlement, including attorney's fees;
 - B) the Department's charge (See 89 Ill. Adm. Code 102.260);
 - C) medical costs resulting from the injury and paid by the client;
 - D) expenses to repair or replace personal property which was damaged as a result of the injury.

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NOTICE OF PROPOSED AMENDMENTS

Section 114.223(b) (continued)

- 2) Workers' Compensation Payment - That portion of a Workers' Compensation payment is exempt which is used to pay for:
 - A) necessary costs of litigation or settlement, including attorney's fees;
 - B) medical costs resulting from the injury and paid by the client.
- 3) Insurance Payments
 - A) Insurance Payments - That portion of an insurance payment received due to loss is exempt when used to:
 - i) Repair or replace a lost or damaged resource including but not limited to repair or replacement of home, furniture, or clothing lost or damaged in a fire or flood and repair or replacement of a car as a result of an accident or fire;
 - ii) Pay the funeral/burial or medical expenses net in excess of \$1500.00 of an insured where the client is the beneficiary of the insured's life insurance policy.
 - B) Any insurance proceeds not spent or contracted to be spent as specified in subsection (b)(3)(A) within 60 days of receipt shall be budgeted as non-recurring lump sum income. A payment receipt shall be required as verification of any insurance-related expense claimed as exempt under subsection (b)(3)(A).
 - C) If the assistance unit receives lump sum payment income in any month which, together with all other income received, after application of the appropriate income deductions and exemptions of this Part, exceeds the applicable standard of need for that unit size (See 89 Ill. Adm. Code 111.101), the assistance unit is ineligible for assistance for a specific period of time. The period of time of ineligibility is the whole number of months the total income received by the assistance unit (minus the deductions and exemptions) would meet the applicable standard of need. Any of this income left over after the above calculation shall be considered as income in the first month following the period of ineligibility.
 - D) The assistance unit may apply to have the ineligibility period caused by receipt of non-recurring lump sum income shortened. The ineligibility period shall be shortened in the following situations:

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NOTICE OF PROPOSED AMENDMENTS

Section 114.223(d) (continued)

- 1) When the non-recurring lump sum payment or a portion of the payment becomes unavailable to the family because the family incurs a loss due to fire, flood or natural disaster which occurred during the ineligibility period. That amount of the lump sum payment the client spends or contracts to spend within sixty (60) days of the fire, flood or natural disaster to repair or replace the lost or damaged property shall be deducted from the lump sum income when recalculating the period of ineligibility.
- 2) When the non-recurring lump sum payment or a portion of the lump sum payment becomes unavailable to the client due to payment of medical expenses which were incurred by a family member and paid in a month during the period of ineligibility caused by receipt of a lump sum payment. Only those expenses which the Department allows toward meeting spenddown (See 89 Ill. Adm. Code 140.3) shall be considered allowable medical deductions when recalculating the period of ineligibility. The allowable medical expenses must have been incurred and paid during the ineligibility period. A payment receipt shall be required as verification.
- e) When an eligible child joins the assistance unit during the period of ineligibility caused by receipt of a lump sum payment, a separate grant case may be established to provide cash and medical assistance for the new child. The period of ineligibility shall not change when an adult moves into the assistance unit.
- 3) When an individual who is otherwise eligible to be included in the assistance unit joins the assistance unit (e.g. newborn, return of a child or an adult) during the period of ineligibility caused by receipt of the lump sum payment. The increased standard of need for the new assistance unit size (See 89 Ill. Adm. Code 111.101) shall be used to recalculate the remaining period of ineligibility for the entire household.

(Source: Amended at 17 Ill. Reg. _____, effective _____)

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NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Medical Payment
- 2) Code Citation: 89 Ill. Adm. Code 140
- 3) Section Numbers: Proposed Action:
140.539 Amendment
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, par. 12-13)
- 5) Complete Description of the Subjects and Issues Involved:
These proposed amendments prohibit nursing facilities from charging a nurse's aide for any part of a nurse's aide training and competency evaluation program. This prohibition is applicable when the nurse's aide is employed by the facility or has received an employment offer from the facility, on or before the date the aide begins the program. The prohibition pertains to all program components including fees for text books and other required course materials. The proposed amendments are in compliance with federal regulations found at 42 CFR 483.152(c)(1).
- 6) Will these proposed amendments replace emergency amendments currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? Yes

Sections	Proposed Action	Illinois Register Citation
140.12	Amendment	November 6, 1992 (16 Ill. Reg. 17049)
140.80	New Section	October 2, 1992 (16 Ill. Reg. 15019)
140.82	New Section	October 2, 1992 (16 Ill. Reg. 15019)
140.84	New Section	October 2, 1992 (16 Ill. Reg. 15019)
140.94	Amendment	October 2, 1992 (16 Ill. Reg. 15019)
140.95	Amendment	October 2, 1992 (16 Ill. Reg. 15019)
140.485	Amendment	October 30, 1992 (16 Ill. Reg. 16495)
140.488	Amendment	October 30, 1992 (16 Ill. Reg. 16495)
140.492	Amendment	September 4, 1992 (16 Ill. Reg. 13397)
140.511	Amendment	November 20, 1992 (16 Ill. Reg. 17461)
140.525	Amendment	August 28, 1992 (16 Ill. Reg. 13211)
140.538	Amendment	August 28, 1992 (16 Ill. Reg. 13211)
140.642	Amendment	November 30, 1992 (16 Ill. Reg. 17956)
140.648	Amendment	November 13, 1992 (16 Ill. Reg. 17209)

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NOTICE OF PROPOSED AMENDMENTS

- Sections Proposed Action Illinois Register Citation
- 140.700 Amendment May 15, 1992 (16 Ill. Reg. 7576)
- 140.TABLE K Amendment October 9, 1992 (16 Ill. Reg. 15296)
- 10) Statement of Statewide Policy Objectives: These proposed amendments do not affect units of local government.
- 11) Time, Place, and Manner in which Interested Persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning this proposed rulemaking. All comments must be in writing and should be addressed to Joanne Jones, Bureau of Rules and Regulations, Illinois Department of Public Aid, 100 South Grand Ave., 3rd Floor, Springfield, Illinois 62762. The Department will consider all written comments it receives within 30 days after the publication of this notice.
- 12) Initial Regulatory Flexibility Analysis:
- A) Date proposed rulemaking was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs:
December 8, 1992
- B) Types of small businesses affected: Nursing Facilities
- C) Reporting, bookkeeping or other procedures required for compliance:
None
- D) Types of professional skills necessary for compliance: None

The full text of the Proposed Amendments begins on the next page:

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NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER d: MEDICAL PROGRAMS

PART 140
MEDICAL PAYMENT

SUBPART A: GENERAL PROVISIONS

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140.1 Incorporation By Reference
140.2 Medical Assistance Programs
140.3 Covered Services Under The Medical Assistance Programs for AFDC, AFDC-MANG, AABD, AABD-MANG, RRP, Individuals Under Age 18 Not Eligible for AFDC, Pregnant Women Who Would Be Eligible if the Child Were Born and Pregnant Women and Children Under Age Eight Who Do Not Qualify As Mandatory Categorically Needy
140.4 Covered Medical Services Under AFDC-MANG for non-pregnant persons who are 18 years of age or older (Repealed)
140.5 Covered Medical Services Under GA
140.6 Medical Services Not Covered
140.7 Medical Assistance Provided to Individuals Under the Age of Eighteen Who Do Not Qualify for AFDC and Children Under Age Eight
140.8 Medical Assistance For Qualified Severely Impaired Individuals
140.9 Medical Assistance for a Pregnant Woman Who Would Not Be Categorically Eligible for AFDC/AFDC-MANG if the Child Were Already Born Or Who Do Not Qualify As Mandatory Categorically Needy
140.10 Medical Assistance Provided to Incarcerated Persons

SUBPART B: MEDICAL PROVIDER PARTICIPATION

- Section
140.11 Enrollment Conditions for Medical Providers
140.12 Participation Requirements for Medical Providers
140.13 Definitions
140.14 Denial of Application to Participate in the Medical Assistance Program
140.15 Recovery of Money
140.16 Termination or Suspension of a Vendor's Eligibility to Participate in the Medical Assistance Program
140.17 Suspension of a Vendor's Eligibility to Participate in the Medical Assistance Program
140.18 Effect of Termination on Individuals Associated with Vendor
140.19 Application to Participate or for Reinstatement Subsequent to Termination, Suspension or Barring
140.20 Submittal of Claims
140.21 Covered Medicaid Services for Qualified Medicare Beneficiaries (QMBs)

- 140.22 Magnetic Tape Billings
140.23 Payment of Claims
140.24 Payment Procedures
140.25 Overpayment or Underpayment of Claims
140.26 Payment to Factors Prohibited
140.27 Assignment of Vendor Payments
140.28 Record Requirements for Medical Providers
140.30 Audits
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140.32 Prohibition on Participation, and Special Permission for Participation
140.33 Publication of List of Terminated, Suspended or Barred Entities
140.35 False Reporting and Other Fraudulent Activities
140.40 Prior Approval for Medical Services or Items
140.41 Prior Approval in Cases of Emergency
140.42 Limitation on Prior Approval
140.43 Post Approval for items or Services When Prior Approval Cannot Be Obtained
140.71 Reimbursement for Medical Services Through the Use of a C-13
140.72 Invoice Voucher Advance Payment and Expedited Payments
140.73 Drug Manual Updates (Recodified)
- SUBPART C: PROVIDER PARTICIPATION FEES
- Section
140.80 Hospital Provider Fund
140.82 Developmentally Disabled Care Provider Fund
EMERGENCY
140.84 Long Term Care Provider Fund
EMERGENCY
140.94 Medicaid Developmentally Disabled Provider Participation Fee Trust Fund/Medicaid Long Term Care Provider Participation Fee Trust Fund
140.95 Hospital Services Trust Fund
EMERGENCY
140.96 General Requirements (Recodified)
140.97 Special Requirements (Recodified)
140.98 Covered Hospital Services (Recodified)
140.99 Hospital Services Not Covered (Recodified)
140.100 Limitation On Hospital Services (Recodified)
140.101 Transplants (Recodified)
140.102 Heart Transplants (Recodified)
140.103 Liver Transplants (Recodified)
140.104 Bone Marrow Transplants (Recodified)
140.110 Disproportionate Share Hospital Adjustments (Recodified)
140.116 Payment for Inpatient Services for GA (Recodified)

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NOTICE OF PROPOSED AMENDMENTS

140.117	Hospital Outpatient and Clinic Services (Recodified)
140.200	Payment for Hospital Services During Fiscal Year 1982 (Recodified)
140.201	Payment for Hospital Services After June 30, 1982 (Repealed)
140.202	Payment for Hospital Services During Fiscal Year 1983 (Recodified)
140.203	Limits on Length of Stay by Diagnosis (Recodified)
140.300	Payment for Pre-operative Days and Services Which Can Be Performed in an Outpatient Setting (Recodified)
140.350	Copayments (Recodified)
140.360	Payment Methodology (Recodified)
140.361	Non-Participating Hospitals (Recodified)
140.362	Pre July 1, 1989 Services (Recodified)
140.363	Post June 30, 1989 Services (Recodified)
140.364	Prepayment Review (Recodified)
140.365	Base Year Costs (Recodified)
140.366	Restructuring Adjustment (Recodified)
140.367	Inflation Adjustment (Recodified)
140.368	Volume Adjustment (Repealed)
140.369	Groupings (Recodified)
140.370	Rate Calculation (Recodified)
140.371	Payment (Recodified)
140.372	Review Procedure (Recodified)
140.373	Utilization (Repealed)
140.374	Alternatives (Recodified)
140.375	Exemptions (Recodified)
140.376	Utilization, Case-Mix and Discretionary Funds (Repealed)
140.390	Subacute Alcoholism and Substance Abuse Services (Recodified)
140.391	Definitions (Recodified)
140.392	Types of Subacute Alcoholism and Substance Abuse Services (Recodified)
140.394	Payment for Subacute Alcoholism and Substance Abuse Services (Recodified)
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140.398	Hearings (Recodified)

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- 140.TABLE K Services Qualifying for 10% Add-On
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AUTHORITY: Implementing Article III of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 6503-1 et seq.) and implementing and authorized by Articles III, IV, V, VI, VII and Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, pars. 3-1 et seq., 4-1 et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq., and 12-13)

SOURCE: Adopted at 3 Ill. Reg. 24, p. 166, effective June 10, 1979; rule repealed and new rule adopted at 6 Ill. Reg. 8374, effective July 6, 1982; emergency amendment at 6 Ill. Reg. 8508, effective July 6, 1982, for a maximum of 150 days; amended at 7 Ill. Reg. 681, effective December 30, 1982; amended at 7 Ill. Reg. 7956, effective July 1, 1983; amended at 7 Ill. Reg. 8308, effective July 1, 1983; amended at 7 Ill. Reg. 8271, effective July 5, 1983; emergency amendment at 7 Ill. Reg. 8354, effective July 5, 1983, for a maximum of 150 days; amended at 8 Ill. Reg. 8540, effective July 15, 1983; amended at 7 Ill. Reg. 9382, effective July 22, 1983; amended at 7 Ill. Reg. 12868, effective September 20, 1983; peremptory amendment at 7 Ill. Reg. 15047, effective October 31, 1983; amended at 7 Ill. Reg. 17358, effective December 21, 1983; amended at 8 Ill. Reg. 254, effective December 21, 1983; emergency amendment at 8 Ill. Reg. 580, effective January 1, 1984, for a maximum of 150 days; recodified at 8 Ill. Reg. 2483; amended at 8 Ill. Reg. 3012, effective February 22, 1984; amended at 8 Ill. Reg. 5262, effective April 9, 1984; amended at 8 Ill. Reg. 6785, effective April 27, 1984; amended at 8 Ill. Reg. 6983, effective May 9, 1984; amended at 8 Ill. Reg. 7258, effective May 16, 1984; emergency amendment at 8 Ill. Reg. 7910, effective May 22, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 7910, effective June 1, 1984; amended at 8 Ill. Reg. 10032, effective June 18, 1984; emergency amendment at 8 Ill. Reg. 10062, effective June 20, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 13343, effective July 17, 1984; amended at 8 Ill. Reg. 13779, effective July 24, 1984; Sections 140.72 and 140.73 recodified to 89 Ill. Adm. Code 141 at 8 Ill. Reg. 16354; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17899; peremptory amendment at 8 Ill. Reg. 18151, effective September 18, 1984; amended at 8 Ill. Reg. 21629,

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effective October 19, 1984; peremptory amendment at 8 Ill. Reg. 21677, effective October 24, 1984; amended at 8 Ill. Reg. 22097, effective October 24, 1984; peremptory amendment at 8 Ill. Reg. 22155, effective October 29, 1984; amended at 8 Ill. Reg. 23218, effective November 20, 1984; emergency amendment at 8 Ill. Reg. 23721, effective November 21, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 25067, effective December 19, 1984; emergency amendment at 9 Ill. Reg. 407, effective January 1, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 2697, effective February 22, 1985; amended at 9 Ill. Reg. 6235, effective April 19, 1985; amended at 9 Ill. Reg. 8677, effective May 28, 1985; amended at 9 Ill. Reg. 9564, effective June 5, 1985; amended at 9 Ill. Reg. 10025, effective June 26, 1985; emergency amendment at 9 Ill. Reg. 11403, effective June 27, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 11357, effective June 28, 1985; amended at 9 Ill. Reg. 12000, effective July 24, 1985; amended at 9 Ill. Reg. 12306, effective August 5, 1985; amended at 9 Ill. Reg. 13998, effective September 3, 1985; amended at 9 Ill. Reg. 14684, effective September 13, 1985; amended at 9 Ill. Reg. 15503, effective October 4, 1985; amended at 9 Ill. Reg. 16312, effective October 11, 1985; amended at 9 Ill. Reg. 19138, effective December 2, 1985; amended at 9 Ill. Reg. 19737, effective December 9, 1985; amended at 10 Ill. Reg. 238, effective December 27, 1985; emergency amendment at 10 Ill. Reg. 798, effective January 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 672, effective January 6, 1986; amended at 10 Ill. Reg. 1206, effective January 13, 1986; amended at 10 Ill. Reg. 3041, effective January 24, 1986; amended at 10 Ill. Reg. 6981, effective April 16, 1986; amended at 10 Ill. Reg. 7825, effective April 30, 1986; amended at 10 Ill. Reg. 8128, effective May 7, 1986; emergency amendment at 10 Ill. Reg. 8912, effective May 13, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 11440, effective June 20, 1986; amended at 10 Ill. Reg. 14714, effective August 27, 1986; amended at 10 Ill. Reg. 15211, effective September 12, 1986; emergency amendment at 10 Ill. Reg. 16729, effective September 18, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 18808, effective October 24, 1986; amended at 10 Ill. Reg. 19742, effective November 12, 1986; amended at 10 Ill. Reg. 21784, effective December 15, 1986; amended at 11 Ill. Reg. 698, effective December 19, 1986; amended at 11 Ill. Reg. 1418, effective December 31, 1986; amended at 11 Ill. Reg. 2323, effective January 16, 1987; amended at 11 Ill. Reg. 4002, effective February 25, 1987; Section 140.71 recodified to 89 Ill. Adm. Code 141 at 11 Ill. Reg. 4302; amended at 11 Ill. Reg. 4303, effective March 6, 1987; amended at 11 Ill. Reg. 7664, effective April 15, 1987; emergency amendment at 11 Ill. Reg. 9342, effective April 20, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 9169, effective April 28, 1987; amended at 11 Ill. Reg. 10903, effective June 1, 1987; amended at 11 Ill. Reg. 11528, effective June 22, 1987; amended at 11 Ill. Reg. 12011, effective June 30, 1987; amended at 11 Ill. Reg. 12290, effective July 6, 1987; amended at 11 Ill. Reg. 14048, effective August 14, 1987; amended at 11 Ill. Reg. 14771, effective August 25, 1987; amended at 11 Ill. Reg. 16758, effective September 28, 1987; amended at 11 Ill. Reg. 17295, effective September 30, 1987; amended at 11 Ill. Reg. 18696, effective October 27, 1987; amended at 11 Ill. Reg. 20909, effective December 14, 1987; amended at 12 Ill. Reg. 916, effective January 1, 1988;

emergency amendment at 12 Ill. Reg. 1960, effective January 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 5427, effective March 15, 1988; amended at 12 Ill. Reg. 6246, effective March 16, 1988; amended at 12 Ill. Reg. 6728, effective March 22, 1988; Sections 140.900 thru 140.912 and 140.914 and 140.916 Table I reclassified to 89 Ill. Adm. Code 147.5 thru 147.205 and 147.206 and 147.207 Table B at 12 Ill. Reg. 6956; amended at 12 Ill. Reg. 6927, effective April 5, 1988; Sections 140.940 thru 140.972 reclassified to 89 Ill. Adm. Code 149.5 thru 149.325 at 12 Ill. Reg. 7401; amended at 12 Ill. Reg. 7695, effective April 21, 1988; amended at 12 Ill. Reg. 10497, effective June 3, 1988; amended at 12 Ill. Reg. 10717, effective June 14, 1988; emergency amendment at 12 Ill. Reg. 11868, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 12509, effective July 15, 1988; amended at 12 Ill. Reg. 14271, effective August 29, 1988; emergency amendment at 12 Ill. Reg. 16921, effective September 28, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 16738, effective October 5, 1988; amended at 12 Ill. Reg. 17879, effective October 24, 1988; amended at 12 Ill. Reg. 18198, effective November 4, 1988; amended at 12 Ill. Reg. 19396, effective November 6, 1988; amended at 12 Ill. Reg. 19734, effective November 15, 1988; amended at 13 Ill. Reg. 125, effective January 1, 1989; amended at 13 Ill. Reg. 2475, effective February 14, 1989; amended at 13 Ill. Reg. 3069, effective February 28, 1989; amended at 13 Ill. Reg. 3351, effective March 6, 1989; amended at 13 Ill. Reg. 3917, effective March 17, 1989; amended at 13 Ill. Reg. 5115, effective April 3, 1989; amended at 13 Ill. Reg. 5718, effective April 10, 1989; Sections 140.850 thru 140.896 reclassified to 89 Ill. Adm. Code 146.5 thru 146.225 at 13 Ill. Reg. 7040; amended at 13 Ill. Reg. 7025, effective April 24, 1989; amended at 13 Ill. Reg. 7786, effective May 20, 1989; Sections 140.94 thru 140.398 reclassified to 89 Ill. Adm. Code 148.10 thru 148.390 at 13 Ill. Reg. 9572; emergency amendment at 13 Ill. Reg. 10977, effective July 1, 1989, for a maximum of 150 days; emergency expired November 28, 1989; amended at 13 Ill. Reg. 11516, effective July 3, 1989; amended at 13 Ill. Reg. 12119, effective July 7, 1989; Section 140.110 reclassified to 89 Ill. Adm. Code 148.120 at 13 Ill. Reg. 12118; amended at 13 Ill. Reg. 12562, effective July 17, 1989; amended at 13 Ill. Reg. 14391, effective August 31, 1989; emergency amendment at 13 Ill. Reg. 15473, effective September 12, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 16992, effective October 16, 1989; amended at 14 Ill. Reg. 190, effective December 21, 1989; amended at 14 Ill. Reg. 2564, effective February 9, 1990; emergency amendment at 14 Ill. Reg. 3241, effective February 14, 1990, for a maximum of 150 days; emergency expired July 14, 1990; amended at 14 Ill. Reg. 4543, effective March 12, 1990; emergency amendment at 14 Ill. Reg. 4577, effective March 6, 1990, for a maximum of 150 days; emergency expired August 3, 1990; emergency amendment at 14 Ill. Reg. 5575, effective April 1, 1990, for a maximum of 150 days; emergency expired August 29, 1990; emergency amendment at 14 Ill. Reg. 5865, effective April 3, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 7141, effective April 27, 1990; emergency amendment at 14 Ill. Reg. 7249, effective April 27, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 10062, effective June 12, 1990; amended at 14 Ill. Reg. 10409, effective June 19, 1990; emergency amendment at 14 Ill. Reg. 12082, effective July 5, 1990,

for a maximum of 150 days; amended at 14 Ill. Reg. 13262, effective August 6, 1990; emergency amendment at 14 Ill. Reg. 14184, effective August 16, 1990, for a maximum of 150 days; emergency amendment at 14 Ill. Reg. 14570, effective August 22, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14826, effective August 31, 1990; amended at 14 Ill. Reg. 15366, effective September 12, 1990; amended at 14 Ill. Reg. 15981, effective September 21, 1990; amended at 14 Ill. Reg. 17279, effective October 12, 1990; amended at 14 Ill. Reg. 18057, effective October 22, 1990; amended at 14 Ill. Reg. 18508, effective October 30, 1990; amended at 14 Ill. Reg. 18813, effective November 6, 1990; amended at 14 Ill. Reg. 20478, effective December 7, 1990; amended at 14 Ill. Reg. 20729, effective December 12, 1990; amended at 15 Ill. Reg. 298, effective December 28, 1990; emergency amendment at 15 Ill. Reg. 592, effective January 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 1051, effective January 18, 1991; Section 140.569 withdrawn at 15 Ill. Reg. 1174; amended at 15 Ill. Reg. 6220, effective April 18, 1991; amended at 15 Ill. Reg. 6534, effective April 30, 1991; amended at 15 Ill. Reg. 8264, effective May 23, 1991; amended at 15 Ill. Reg. 8972, effective June 17, 1991; amended at 15 Ill. Reg. 10114, effective June 21, 1991; amended at 15 Ill. Reg. 10468, effective July 1, 1991; amended at 15 Ill. Reg. 11176, effective August 1, 1991; emergency amendment at 15 Ill. Reg. 11515, effective July 25, 1991, for a maximum of 150 days; emergency expired December 22, 1991; emergency amendment at 15 Ill. Reg. 12919, effective August 15, 1991, for a maximum of 150 days; emergency expired January 12, 1992; emergency amendment at 15 Ill. Reg. 16366, effective October 22, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 17318, effective November 18, 1991; amended at 15 Ill. Reg. 17733, effective November 22, 1991; emergency amendment at 16 Ill. Reg. 300, effective December 20, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 174, effective December 24, 1991; amended at 16 Ill. Reg. 1877, effective January 24, 1992; amended at 16 Ill. Reg. 3552, effective February 28, 1992; amended at 16 Ill. Reg. 4006, effective March 6, 1992; amended at 16 Ill. Reg. 6408, effective March 20, 1992; amended at 16 Ill. Reg. 6849, effective April 7, 1992; amended at 16 Ill. Reg. 7017, effective April 17, 1992; amended at 16 Ill. Reg. 10050, effective June 5, 1992; amended at 16 Ill. Reg. 11174, effective June 26, 1992; expedited correction at 16 Ill. Reg. 11348, effective March 20, 1992; emergency amendment at 16 Ill. Reg. 11947, effective July 10, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 12186, effective July 24, 1992; emergency amendment at 16 Ill. Reg. 13337, effective August 14, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 15109, effective September 21, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 15561, effective September 30, 1992; amended at 16 Ill. Reg. 17302, effective November 2, 1992; emergency amendment at 16 Ill. Reg. 18097, effective November 17, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 19146, effective December 1, 1992; amended at 16 Ill. Reg. 19879, effective December 7, 1992; amended at 17 Ill. Reg. _____, effective

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

SUBPART E: GROUP CARE

Section 140.539 Nurse's Aide Training and Testing

a) Nurse's Aide Training

1) Nursing homes shall be reimbursed for the reasonable costs of nurse's aide training. Upon the aide's successful completion of a course which has been approved by the Department of Public Health (77 Ill. Adm. Code 395.300), the nursing home may claim reimbursement for the following costs, provided that they are actually incurred:

- A) tuition, up to the prevailing community college rate in the health service area for a six credit hour course;
 - B) instructional materials, up to \$25.00; and
 - C) salary and fringe benefits, (fringe benefits are payroll taxes, unemployment insurance and worker's compensation and health insurance and meals if provided) up to the prevailing entry level for the health service area.
- 2) Payment will not be made under this rule Section for salary expenses during the clinical training if the clinical training is in the facility of employment. These staffing and salary costs are included under the regular cost related reimbursement system as reported on the facilities' annual cost reports and are reimbursed through the monthly payments to the facilities.

3) The Department will reimburse for actual approved hours up to 130 hours.

4) Nursing homes shall also receive an additional factor of 5% of the total claim to recognize costs for those who do not successfully complete the course.

5) The Department shall reimburse on a pro rata basis according to the percentage of Public Aid patients in the Nursing Home nursing home.

6) No nurse's aide who is employed by, or who has received an offer of employment from, a facility on the date on which the aide begins a nurse aide training and competency evaluation program may be charged for any portion of the program (including any fees for textbooks or other required course materials).

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NOTICE OF PROPOSED AMENDMENTS

Section 140.539 (continued)

b) Nurse's Aide Testing

1) Nursing homes shall be reimbursed for the reasonable costs for Nurse's Aide-Testing nurse's aide testing. Only tests approved by the Department of Public Health are reimbursable (77 Ill. Adm. Code 395.300). The nursing home may claim reimbursement for the cost of each approved competency test successfully completed with a passing grade (77 Ill. Adm. Code 395.400(g)).

2) Payment will not be made under this rule Section for costs incurred in administering tests not approved by the Department of Public Health, or for any additional tests administered by the nursing home during or subsequent to nurse's aide training.

3) Payment will be made for all competency tests successfully completed with a passing grade after October 1, 1989.

4) The maximum reimbursable cost per competency test successfully completed with a passing grade is the current fee charged by the Department of Public Health approved testing service. The Department will reimburse on a pro rata basis according to the percentage of Public Aid patients in the nursing home. The Department will not pay any other costs associated with the testing process.

5) Written proof (Individual-Test-Results) (individual test results) must be submitted by the nursing home for each competency test for which reimbursement is claimed.

6) No payment will be made for any competency test in which a failing grade (77 Ill. Adm. Code 395.400(g)) is received for any part of the test. A nurse's aide must pass both the demonstration of manual skills and written portions of the test before reimbursement may be claimed.

7) Nursing homes shall receive an additional factor of 5% of the total claim to recognize costs for those who do not successfully pass the test.

8) No nurse's aide who is employed by, or who has received an offer of employment from, a facility on the date on which the aide begins a nurse aide training and competency evaluation program may be charged for any portion of the program (including any fees for textbooks or other required course materials).

(Source: Amended at 17 Ill. Reg. _____, effective _____)

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENTS

1) The Heading of the Part: Riverboat Gambling2) Code Citation: 86 Ill. Adm. Code 30003) Section Numbers:

3000.100 Amended Section
3000.101 New Section
3000.110 Amended Section
3000.115 Amended Section
3000.140 Amended Section
3000.141 New Section
3000.155 Amended Section
3000.160 Amended Section
3000.165 Amended Section
3000.200 Amended Section
3000.210 Amended Section
3000.220 Amended Section
3000.230 Amended Section
3000.231 New Section
3000.235 Amended Section
3000.240 Amended Section
3000.245 Amended Section
3000.250 Amended Section
3000.281 Amended Section
3000.282 Amended Section
3000.283 Amended Section
3000.300 Amended Section
3000.320 Amended Section
3000.400 Amended Section
3000.405 Amended Section
3000.410 Amended Section
3000.415 Amended Section
3000.425 Amended Section
3000.430 Amended Section
3000.431 New Section
3000.435 Amended Section
3000.440 Amended Section
3000.445 New Section
3000.600 Amended Section
3000.620 Amended Section
3000.635 Amended Section
3000.730 Amended Section
3000.800 Amended Section
3000.850 Amended Section
3000.1000 Amended Section
3000.1010 Amended Section
3000.1020 Amended Section
3000.1030 Amended Section
3000.1040 Amended Section

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3000.1050 Amended Section
3000.1070 Amended Section
3000.1071 Amended Section
3000.1072 Amended Section
3000.1100 New Section
3000.1105 New Section
3000.1110 New Section
3000.1115 New Section
3000.1120 New Section
3000.1125 New Section
3000.1126 New Section
3000.1130 New Section
3000.1135 New Section
3000.1140 New Section
3000.1145 New Section
3000.1146 New Section
3000.1150 New Section
3000.1155 New Section

4) Statutory Authority: Riverboat Gambling Act, Ill. Rev. Stat. 1991, ch. 120, para. 2401 et. seq., P.A. 86-1029, effective February 7, 1990, amended by P.O. 87-826, effective December 16, 1991.

5) A Complete Description of the Subjects and Issues Involved:
This rulemaking provides for amendments and additions to certain Gaming Board Rules. These proposed changes seek to clarify portions of the adopted rules and Subpart K details the disciplinary procedures the Board will follow.

The rules affected are as follows:

In Section 3000.100 added the following definitions relating to new Games the Board has approved for play: "Big Six"; "Give-Away"; "Multiple Action Blackjack"; "Pai Gow Poker"; "Red Dog"; and "Sic Bo".

In Section 3000.100 added the definition of "Junketeer".

Added Section 3000.101 to ensure that if any particular rule is declared invalid, the remaining rules will not be effected.

In Section 3000.110 added language to clarify that the Board may discipline a holder of an Owner's License for failure to comply with its Internal Controls. This language will alleviate any current misinterpretation.

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In Section 3000.115 added language to clarify the Board's record retention requirements.

In Section 3000.140 changed language to make disclosure requirements more explicit.

Added Section 3000.141 to require disclosure of Agents working on behalf of an applicant or licensee.

Amended Section 3000.155 case correction.

In Section 3000.160 added language to make explicit that Owner's and Suppliers have a duty to report violations of a holder's Internal Controls.

In Section 3000.165 changed language to clarify which individuals may gamble and/or purchase and redeem Chips or Tokens.

In Section 3000.200 changed language to clarify the individuals or entities that need to obtain a license from the Gaming Board and to detail what level occupational license is required for certain types of positions.

In Section 3000.210 changed language to clarify the application and license fees.

In Section 3000.220 omitted irrelevant and repetitive language and added language dealing with the procedure for the withdrawal of applications.

In Section 3000.230 omitted language to alter procedure. Added new language in paragraph (d) to make explicit what changes an applicant or owner must have approved by the Board. Technical and grammatical changes made throughout this Section.

Added Section 3000.231 to ensure that the holder of an Owner's License maintains adequate cash reserves for continuing operations and expansion.

In Section 3000.235 changed language to clarify license non-transferability. Added new language to make explicit that an individual or entity seeking a transfer of an ownership interest is subject to meeting the same criteria that are applied to an initial applicant. In addition, language was added to describe Board procedures regarding transferability of interests in publicly traded corporations.

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In Section 3000.240 omitted language to alter procedure and reorganized Section for clarity.

In Section 3000.245 changed or omitted language to correspond to the Board's application forms and to clarify the existing rule. Added language to detail procedures regarding the withdrawal of a temporary identification badge.

In Section 3000.250 changed language to make explicit that licenses issued by the Board may not be transferred by a licensee to another person or entity.

In Section 3000.281 changed language to clarify that this Section concerns registration tags on Electronic Gaming Devices.

In Section 3000.282 added language to make explicit as to when a Gaming Device may be seized.

In Section 3000.283 spelling correction.

In Section 3000.300 added language to make explicit that the integrity of gaming is one objective of an internal control system.

In Section 3000.320 changed language to clarify the accounting and administrative procedures the Board wants reported.

In Section 3000.400 added language to make explicit the nature of a hearing under this Subpart.

In Section 3000.405 added and deleted language to detail or alter procedure.

In Section 3000.410 changed language to clarify rule and to alter procedure.

In Section 3000.415 changed language to make explicit the nature of discovery in the administrative hearing.

In Section 3000.425 changed language to clarify rule.

In Section 3000.430 added language to clarify what records and information are admissible into evidence in an administrative hearing. Omitted certain language based on the reorganization of this Section and the provisions are

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found either in other subparagraphs of this Section or in Section 3000.431.

Added Section 3000.431 for organizational clarity. This Section contains the omitted subparagraph from Section 3000.430 regarding the prohibition on ex parte communication with the hearing officer.

In Section 3000.435 changed language to clarify references in the rule.

In Section 3000.440 changed language to clarify rule.

Added Section 3000.445 to make it explicit that an applicant who requests a hearing still has an application pending before the Board.

In Section 3000.600 changed language to clarify rule.

In Section 3000.620 grammatical language change.

In Section 3000.635 grammatical language change.

In Section 3000.730 changed language to clarify rule.

In Section 3000.800 omitted unnecessary language.

In Section 3000.850 grammatical language change.

In Section 3000.1000 changed language to clarify rule.

In Section 3000.1010 changed language to make explicit the documents the Board expects to receive from the holder of an Owner's License.

In Section 3000.1020 changed language to effect change in Board procedure.

In Section 3000.1030 changed language to clarify rule and to effect change in Board procedure.

In Section 3000.1040 added language to clarify rule.

In Section 3000.1050 changed language to clarify rule.

In Section 3000.1070 changed language to clarify rule. Omitted repetitive language.

In Section 3000.1071 omitted repetitive language.

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In Section 3000.1072 added language to clarify rule.

Added Subpart K to detail the Board's hearing procedures in cases where the Board has seized a gaming device from the holder of an Owner's License or the Board wishes to discipline a licensee.

6. Will this proposed rule replace an emergency rule currently in effect? No.

7. Does this rulemaking contain an automatic repeal date? No.

8. Does this rulemaking contain incorporations by reference? No.

9. Are there any other proposed amendments pending on this part? No.

10. Statement of Statewide Policy Objectives: The rulemaking neither creates nor expands any State mandates.

11. Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to submit comments on this proposed rule may submit them in writing no later than 45 days after publication of this notice to:

Donna B. More
Chief Legal Counsel
Illinois Gaming Board
160 North LaSalle Street, Suite 300-S
Chicago, Illinois 60601
(312) 814-4700

12. Initial Regulatory Flexibility Analysis:

A) Date Rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs: 11-24-92

B) Types of small businesses affected: No direct affect on small businesses which are not required to be licensed under the Riverboat Gambling Act and Board Rules.

C) Reporting, bookkeeping or other procedures required for compliance: Some changes may be required in the procedures relating to reporting and bookkeeping, but no material increase in workload.

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- D) Types of professional skills necessary for compliance: Knowledge of casino operations, bookkeeping, accounting and legal.

The full text of the Proposed Amendments begins on the next page.

TITLE 86
CHAPTER IV: ILLINOIS GAMING BOARDPART 3000
RIVERBOAT GAMBLING

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3000.101	Invalidity
3000.110	Disciplinary Actions
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3000.120	Place to Submit Materials
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3000.150	Owner's and Supplier's Duty to Investigate Job Applicants
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3000.320 Requirements
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3000.350 Modifications

3000.635 Issuance and Use of Tokens for Gaming in Electronic Gaming Devices
3000.640 Exchange of Chips and Tokens
3000.645 Receipt of Gaming Chips or Tokens from Manufacturer or Distributor
3000.650 Inventory of Chips
3000.655 Destruction of Chips and Tokens
3000.660 Minimum Standards for Electronic Gaming Devices
3000.665 Integrity of Electronic Gaming Devices
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SUBPART D: HEARINGS ON NOTICE OF DENIAL OR PLACEMENT ON EXCLUSION LIST

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3000.410 Appearances
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3000.420 Motions for Summary Judgment
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3000.430 Evidence
3000.431 Prohibition on Ex Parte Communication
3000.435 Sanctions and Penalties
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3000.700 Duty to Exclude
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SUBPART H: SURVEILLANCE AND SECURITY

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3000.800 Required Surveillance Equipment
3000.810 Security and Surveillance Rooms Requirements
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3000.830 Security Logs
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3000.850 Dock Site Board Facility
3000.860 Maintenance and Testing

SUBPART E: EXCURSIONS

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3000.600 Wagering Only with Approved Chips, Tokens and Electronic Cards
3000.605 Authorized Games
3000.610 Publication of Rules and Payout Ratio for Live Gaming Devices
3000.615 Payout Percentage for Electronic Gaming Devices
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3000.620 Submission of Chips for Review and Approval
3000.625 Chip Specifications
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3000.1030 Annual Audits and Other Reporting Requirements
 3000.1040 Accounting Controls Within the Cashier's Cage
 3000.1050 Procedures for Exchange of Checks Submitted by Gaming Patrons and Granting Credit
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 3000.1110 Board Action Against License or Licensee
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 3000.1130 Discovery
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 3000.1146 Prohibition of Ex Parte Communication
 3000.1150 Sanctions and Penalties
 3000.1155 Transmittal of Record and Recommendation to the Board

AUTHORITY: Implementing and authorized by The Riverboat Gambling Act (Ill. Rev. Stat. 1991 Supp., ch. 120, pars. 2401 et seq).

SOURCE: Emergency rule adopted at 15 Ill. Reg. 11252, effective August 5, 1991, for a maximum of 150 days; adopted at 15 Ill. Reg. 18263, effective December 10, 1991; amended at 16 Ill. Reg. 13310, effective August 17, 1992; amended at _____ Ill. Reg. _____, effective _____.

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SUBPART A: GENERAL PROVISIONS

Section 3000.100 Definitions

For purposes of these Rules the following terms shall have the following meanings:

- "Act": The Riverboat Gambling Act. (Ill. Rev. Stat. 1991 Supp., ch. 120, par. 2401, et seq.)
- "Alcoholic Liquors": Includes alcohol, spirits, wine and beer, and every liquid or solid, patented or not, containing alcohol, spirits, wine or beer, and capable of being consumed as a beverage by a human being.
- "Attributed interest": A direct or indirect interest in a business entity deemed to be held by a person not through the person's actual holdings but either through the holdings of the person's relatives or through a third party or parties on behalf of the person pursuant to a plan, arrangement or agreement.
- "Baccarat": A card game played with a deck or multiple decks of cards dealt from a shoe. The highest game count possible is nine (9). The hand with the highest point count wins.
- "Big Six": A wheel game (vertical) in which a player bets on the outcome of the wheel spin.
- "Bill Changer": Means any mechanical, electrical, or other device, contrivance or machine designed for the purpose of dispensing an amount of tokens or credits equal to the amount of currency inserted into the bill changer system.
- "Blackjack": See "Twenty-One".
- "Board": The Illinois Gaming Board.
- "Board Surveillance Room": A room or rooms on each Riverboat for the exclusive use of the Board for monitoring and recording of gaming and other activities.
- "Chip": A non-metal or partly metal representative of value, redeemable for cash, and issued and sold by a holder of an Owner's license for use in gaming other than in Electronic Gaming Devices on such holder's Riverboat or Riverboats.

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"Craps": A Game in which dice are rolled to make different points or combinations.

"Dependent": Any individual who received over half of his support in a calendar year from any other individual.

"Electronic Card": A card used for cash or cash equivalent.

"Electronic Gaming Device": Any mechanical, electrical device or machine which upon payment of consideration is available to play or operate, operation of which, whether by reason of the skill of the operator, or application of the element of chance, or both, may deliver or entitle the person playing or operating the machine to receive premiums, merchandise, Tokens, redeemable Game credits or anything of value other than unredeemable free Games whether the payoff is made automatically from the machines or in any other manner.

"Electronic Gaming Device Drop": The total value of Tokens contained in the drop bucket.

"Electronic Gaming Device Win": The Electronic Gaming Device Drop minus hand-paid jackpots minus hopper fills plus hopper credits.

"EPROM": Erasable, Programmable, Read Only Memory.

"Excluded Person": Any person whose name appears on any Exclusion List, or any person whose name does not appear on an Exclusion List, but is excluded or ejected pursuant to Section 5(c)(12) of the Act, or as a result of meeting one or more of the criteria in Section 3000.720 of these rules.

"Exclusion List": A list or lists, which contain identities of persons who are to be excluded or ejected from any licensed Gaming operation in any jurisdiction. The list may include any person whose reputation or conduct is such that his presence within a Riverboat Gaming Operation may, in the opinion of the Board or the Administrator, call into question the honesty or integrity of the gambling operation or pose a threat to the interests of the State of Illinois.

"Faro": A card Game played with a single fifty-two (52) card deck dealt by drawing cards face up from an opened framed box.

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"Game": A banking, wagering, gambling or percentage game or activity which is played for money, property, or anything of value, including without limitation those played with cards, Chips, Tokens, dice, implements, or electronic, electrical, or mechanical devices or machines.

"Gaming": The dealing, operating, carrying on, conducting, maintaining or exposing for play of any Game.

"Gaming Equipment/Supplies": A machine, mechanism, device, or implement which affects the result of a Game by determining win or loss, including without limitation electronic, electrical, or mechanical devices or machines, software, cards, or dice, and any representative of value used with any Game, including without limitation Chips, Tokens, or electronic debit cards and related hardware and software.

"Gaming Operations Manager": A person or business entity other than the holder of an Owner's License who has the ultimate responsibility to manage, direct or administer the conducting of Gaming.

"Give-Away": A game where patron entry to the game may be determined by attendance on a riverboat or by either accumulation of points/credits, or the attainment of a certain outcome on an Electronic Gaming Device.

"Hand": Either one Game in a series, one deal in a card Game, or the cards held by a player.

"Indirect interest": An interest in a business entity that is deemed to be held by the holder of an Owner's License not through the holder's actual holdings in the business entity but through the holder's holdings in other business entities.

"Internal Control System": Internal procedures and administration and accounting controls designed by the holder of an Owner's License for the purpose of exercising control over the Riverboat Gaming Operation.

"Junketeer": A person or entity who is compensated depending on how much a patron either wagers or loses or a determination by the holder of the Owner's License or Gaming Operation Manager as to the potential amount a patron will wager or lose.

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"Keno": A Game where a player selects anywhere from one (1) to twenty (20) numbers between one (1) and eighty (80). A winner is determined by an automatic device which randomly chooses twenty (20) numbers.

"Key Person": An officer, director, trustee, partner, proprietor, or managing agent of, or a holder of any direct or indirect legal or beneficial interest whose combined direct, indirect or Attributed interest is 5% or more in, a business entity.

"Klondike": A solitaire card Game played with a single fifty-two (52) card deck.

"Live Gaming Device": Any non-electrical or nonelectro-mechanical apparatus used to gamble upon, including but not limited to Roulette wheel and table, Blackjack table, Crap table and Poker tables.

"Multiple Action Blackjack": A multi-hand (maximum 3) variation of the card game blackjack. The dealer uses a common up-card and players play two to three hands as in a normal Blackjack game.

"Non-Value Chip": A Chip, clearly and permanently impressed, engraved or imprinted with the name of the Riverboat, but bearing no value designation.

"Notice of Board Action": A Notice of Denial, Restriction, Suspension, Revocation, Nonrenewal, or Exclusion issued by the Board.

"Pai Gow Poker": A card game using a standard fifty-two card deck and one Joker. The player has a five card high hand and a two card low hand. The two hands of the player are compared to the two hands of the dealer.

"Payout": Winnings earned on a wager.

"Petitioner": An applicant, licensee, or Excluded Person who requests a hearing upon issuance of a Notice of Board Action.

"Poker": A card Game played by a maximum of ten (10) players who are dealt cards by a nonplayer dealer. The object of the Game is for each player to bet the superiority of his own hand and win the other players' bets by either making a bet no other player is willing to match or proving

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to hold the most valuable cards after all the betting is over.

"Progressive Controller": The hardware and software that controls all communications among the machines within a progressive Electronic Gaming Device link and its associated progressive meter.

"Progressive Jackpot": A value determined by a holder of an Owner's License and arrived at by income of an independent, local or interlinked Electronic Gaming Devices. This value shall be clearly displayed above the interlinked Electronic Gaming Device, and metered incrementally by a Progressive Controller. A progressive machine must prominently display a manufacturer-supplied glass indicating either that a Progressive Jackpot is to be paid or indicating the current amount of the jackpot.

"Punchboard": A Game where a player selects a slip of paper or paper banded ticket which contains hidden from view a symbol, set of symbols or number(s) that have been designated in advance as winners. This Game can otherwise be identified as Pulltab, Jar Ticket, Push Card or Number Ticket.

"Red Dog": A card game played with a standard fifty-two card deck with each suit valued in a descending order, A, K, Q, J, 10, 9, 8, 7, 6, 5, 4, 3, 2. Bets are wagered on a layout in the appropriate corresponding areas. This game is often called Acey-Deucey or In-Between.

"Relative": Spouse, parents, grandparents, children, siblings, uncles, aunts, nephews, nieces, fathers-in-law, mothers-in-law, sons-in-law, daughters-in-law, brothers-in-law, and sisters-in-law, whether by the whole or half blood, by marriage, adoption or natural relationship, and Dependents.

"Riverboat Gaming Operation": The conducting of Gaming and all related activities, including without limitation the purveying of food, beverages, retail goods and services, and transportation, on a Riverboat and at its Support Facilities.

"Roulette": A Game played on a horizontal rotating wheel where players can bet on which compartment a non-metallic ball may come to rest.

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"Security Room": A room or rooms on each Riverboat for monitoring and recording of Gaming and other activities by employees of the Riverboat Gaming Operation.

"Sic Bo: A dice game played with three dice contained in a sealed shaker. Bets are wagered on a layout showing all possible winning combinations.

"Signature": The definitive identity of an individual specific EPROM Chip, determined by electronic analysis and reflective of the EPROM Chip's game behavior capability.

"Slot Machine": A type of Electronic Gaming Device.

"Sole Proprietor": A person who in his or her own name owns 100% of the assets and who is solely liable for the debts of a business.

"Supplier": Either a Gaming Operations Manager or a provider of Gaming Equipment, Gaming Equipment maintenance or repair services, security services or lessor of a Riverboat or dock facilities or a provider of any goods or services where payment is calculated by a percentage of a Riverboat Gaming Operation's revenues.

"Support Facility": A place of business which is part of, or operates in connection with, a Riverboat Gaming Operation and is owned in whole or in part by a holder of an Owner's or Supplier's license or any of their Key Persons, including without limitation Riverboats, offices, docking facilities, parking facilities, and land-based hotels or restaurants.

"Table Drop": The total amount of cash or cash equivalents contained in the drop box for Chips purchased at a Live Gaming Device.

"Table Win": The dollar amount won by the holder of an Owner's License through play at a live Game which is the total of the Table Drop plus ending Chip inventory plus credits minus opening Chip inventory minus fills.

"Theoretical Payout Percentage": The sum of the number of Tokens expected to be paid as a result of jackpots divided by the number of different possible outcomes.

"Token": A metal representative of value, redeemable for cash only at the issuing Riverboat Gaming Operation, and issued and sold by a holder of an Owner's License for use in Electronic Gaming Devices.

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"Twenty-One": Twenty-one (blackjack) is a card Game played with a single deck or multiple decks of cards dealt from a shoe. The player attempts to beat the dealer by obtaining a total equal to or less than twenty-one (21) so that his total is higher than the dealer's.

"Value Chip": A Chip, clearly and permanently impressed, engraved or imprinted with the name of the Riverboat and the specific value of the Chip.

"Wager": A sum of money or thing of value risked.

(Source: Amended at 16 Ill. Reg. ____, effective ____).

Section 3000.101 Invalidity

If any part of these Rules shall be held by a court of competent jurisdiction to be invalid, such holding shall not affect the remaining parts hereof.

(Source: Added at 16 Ill. Reg. ____, effective ____).

Section 3000.110 Disciplinary Actions

A holder of any license shall be subject to imposition of fines, suspension or revocation of such license, or other action for any act or failure to act by himself or his agents or employees, that is injurious to the public health, safety, morals, good order and general welfare of the people of the State of Illinois, or that would discredit or tend to discredit the Illinois Gaming industry or the State of Illinois. Without limiting the foregoing, the following acts or omissions may be grounds for such discipline:

- a) Failing to comply with or make provision for compliance with the Act, these rules or any federal, state or local law or regulation or failure by the holder of an Owner's license to comply with or make provision for compliance with the holder's Internal Controls.
- b) Failing to comply with any rule, order or ruling of the Board or its agents pertaining to Gaming.
- c) Receiving goods or services from a person or business entity who does not hold a Supplier's License but who is required to hold such license by these rules.
- d) Being suspended or ruled ineligible or having a license revoked or suspended in any state or Gaming jurisdiction.

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- e) Associating with, either socially or in business affairs, or employing persons of notorious or unsavory reputation or who have extensive police records, or who have failed to cooperate with any officially constituted investigatory or administrative body and would adversely affect public confidence and trust in Gaming.
- f) Employing in any Illinois Riverboat Gaming Operation any person known to have been found guilty of cheating or using any improper device in connection with any Game.

(Source: Amended at 16 Ill. Reg. _____, effective _____).

Section 3000.115 Records Retention

- a) All holders of Owner's Licenses or Supplier's Licenses shall maintain in a place secure from theft, loss or destruction, adequate records of business operations which shall be made available to the Board upon request. These records shall be held for at least five (5) years. These records shall include but are not limited to:

- 1) All correspondence with or reports to the Board or any local, state or federal governmental agency;
- 2) All correspondence concerning the acquisition, construction, maintenance, or business of a proposed or existing Riverboat or Support Facility;
- 3) Copies of all promotional material and advertising; and
- 4) A personnel file on each employee.

- b) A holder of an Owner's License, in such manner as the Administrator may approve or require, shall keep accurate, complete, legible and permanent records of any books, records or document pertaining to, prepared in, or generated by the Riverboat Gaming Operation including, but not limited to, all forms, reports, accounting records, ledgers, subsidiary records, computer generated data, internal audit records, correspondence and personnel records. The accounting

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records shall be maintained as provided in Section 3000.1010.

- c) All records shall be organized and indexed in such a manner to provide immediate accessibility to agents of the Board.
- d) No original book, record or document required to be maintained by this Section may be destroyed by a holder of an Owner's or Supplier's License without prior approval of the Administrator. No original book, record or document necessary or useful to the audit or certification of a holder of an Owner's License's Gross Receipts may be destroyed unless and until it has been copied and stored.

(Source: Amended at 16 Ill. Reg. _____, effective _____).

Section 3000.140 Applicants' Duty to Disclose Changes in Information

Board Licensees and Applicants for licenses issued by the Board shall have a continuing duty to disclose promptly any material changes in the information provided in the application-forms and requested materials submitted to the Board. The duty to disclose changes in information shall continue throughout any period of licensure granted by the Board. Board licensees or applicant's for licenses must maintain current release of information forms as originally submitted to the Board.

(Source: Amended at 16 Ill. Reg. _____, effective _____).

Section 3000.141 Applicant/Licensee Disclosure of Agents

Any individual or entity acting on behalf of an applicant or licensee, for compensation, with regard to Board action shall promptly be identified to the Board by both the applicant or licensee and the individual or entity acting on their behalf.

(Source: Added at 16 Ill. Reg. _____, effective _____).

Section 3000.155 Investigatory Proceedings

- a) The Administrator, when necessary, may conduct proceedings for the purpose of investigating an applicant or application, a licensee or third party for an alleged violation of the Act, Board Rules, or the conduct of Gaming on a Riverboat Gaming Operation.

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- b) The Administrator may require an applicant, licensee or a key person of a licensee to testify or to produce relevant documents, records or other materials at a proceeding conducted under this Rule.
- c) The Administrator may issue subpoenas for the attendance of witnesses or subpoenas duces tecum for the production of relevant documents, records or other material at a proceeding conducted under this Rule.
- d) All testimony at proceedings conducted under this Rule shall be given under oath or affirmation.

(Source: Amended at 16 Ill. Reg. _____, effective _____).

Section 3000.160 Owner's and Supplier's Duty to Report Misconduct

The holder of an Owner's or Supplier's License shall promptly report to the Administrator any facts which the holder has reasonable grounds to believe indicate a violation of law (other than minor traffic violations), or Board or a Holder's Internal Controls rule committed by Suppliers or licensed employees, including without limitation the performance of licensed activities different from, those permitted under their license. Unless otherwise determined by the Board, all reports required by this Section shall be confidential.

(Source: Amended at 16 Ill. Reg. _____, effective _____).

Section 3000.165 Participation in Games by Owners, Directors, Officers, Key Persons or Gaming Employees

No holder of an Owner's License, or any officer, director, key person or Gaming employee thereof of ~~any business entity possessing an owner's license~~ shall play or be permitted to play any Game at his facility. No such person shall be permitted to purchase or redeem Chips or Tokens for any other person.

(Source: Amended at 16 Ill. Reg. _____, effective _____).

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SUBPART B: LICENSES

Section 3000.200 Classification of Licenses

The Board may classify an activity to be licensed in addition to, different from, or at a different level than the classifications set forth in this Subpart.

- a) Owner's License. An owner of a Riverboat Gaming Operation is required to hold an Owner's License.
- b) Supplier's License. The following persons or entities are required to hold a Supplier's License:

- 1) Gaming Operations Entity Manager (individual or entity). All employees of a Gaming Operations entity Manager will be required to hold an Occupation License in accordance with subsection (c) of this Section.
 - 2) Supplier of Gaming Equipment/Supplies, including a manufacturer, distributor, wholesaler, or retailer. All manufacturers of Electronic Gaming Devices, Chips, and Tokens must be licensed as a Supplier regardless of whether the manufacturer uses an independent distributor or wholesaler to distributes its Equipment/Supplies.
 - 3) Supplier of Gaming Equipment maintenance or repair services.
 - 4) Supplier of security services.
 - 5) Lessors of Riverboat and/or Dock facilities.
 - 6) Supplier of any goods or services where payment is calculated by a percentage of a Riverboat Gaming Operation's revenues.
 - 7) Junketeers
 - 8) Any other purveyor of goods or services to a Riverboat Gaming Operation, as deemed necessary by the Board.
- c) Occupation License. A person employed at a Riverboat Gaming Operation is required to hold an Occupation License. An Occupation licensee may perform any activity included within the licensee's level of

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Occupation License or any lower level of Occupation License.

- 1) Occupation License, Level 1, includes the following positions, or their equivalent:

- A) Audit Manager;
 - B) Casino Manager;
 - C) Chief of Security;
 - D) ~~Chief-Financial-Officer-and/or~~
~~Controller Chief of Surveillance;~~
 - E) ~~EBP-Manager~~ Chief Financial Officer
and/or Controller;
 - F) ~~Electronic-Gaming-Device-Manager~~
~~EDP Manager;~~
 - G) ~~Table-Games-Manager~~ Electronic Gaming
Device Manager; and
 - H) Table Games Manager.
- 2) Occupation License, Level 2. A Gaming or security/surveillance employee not required to hold an Occupation License, Level 1-under subparagraph (c)(1) of this Section.
- 3) Occupation License, Level 3. An employee not required to hold an Occupation License, Level 1 or Level 2 under subparagraphs (c)(1) and (c)(2) of this Section.

(Source: Amended at 16 Ill. Reg. _____, effective _____).

Section 3000.210 Fees and Bonds

All fees shall be submitted to the Board in the form of a check or money order made payable to the State of Illinois.

- a) Application Fees. The following application fees must be paid upon the submittal of the application to which they relate:

- 1) Owner's License: \$50,000.

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- 2) Supplier's License: \$10,000.
- 3) Occupation License, Level 1: \$1,000.
- 4) Occupation License, Level 2: \$200.
- 5) Occupation License, Level 3: \$75.

- b) Increased Application Fee. The application fee of an applicant may be increased to the extent that the cost of the investigation relating to the applicant exceeds the applicant's fee amount provided in paragraph (a). Unless otherwise determined by the Administrator, no further action shall be taken with respect to the application until payment of the increased fee is received by the Board.

- c) License Fees. The following annual license fees are due upon the final finding of the Board that an applicant is suitable for licensing. If there is cause for any investigation relating to a licensee at any time, applicant or holder of a the licensee shall pay the Board for the cost of the investigation.

- 1) Owner's License: A total of \$35,000, comprised of \$25,000 for the first year of operation license, \$5,000 for each succeeding year of licensure.

- 2) Supplier's License: \$5,000.
- 3) Occupation License, Level 1: \$50.
- 4) Occupation License, Level 2: \$50.
- 5) Occupation License, Level 3: \$50.

- d) Holder of an Owner's License Bond

- 1) The form of the holder of an Owner's License surety bond required under Section 10 of the Act must be approved by the Administrator prior to its posting.

- A) The bond shall state that it is exercisable if the licensee fails to comply with the obligations provided under Section 10 of the Act. The bond may provide that the liability

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of the surety is limited to the extent of the liability of the licensee.

- B) The bond shall state that in the event it is to be modified or cancelled the surety shall notify the Board in writing at least 30 days prior to the date of such modification or cancellation.
- C) The bond shall state that it shall run continuously and remain in full force and effect during the period of the licensee's licensure.

- 2) The bond shall be posted with the Board.

(Source: Amended at 16 Ill. Reg. _____, effective _____).

Section 3000.220 Applications

- a) Application Forms. Application forms shall be submitted by applicants ~~for the classes of licenses issued by the Board~~ as provided in this Section.

- 1) Owner's License. Owner's License Application Form and Personal Disclosure Form 1 for each of the applicant's Key Persons, or any other principal or investor as the Board may require.

- 2) Supplier's License. Supplier's License Application Form and Personal Disclosure Form 1 for each of the applicant's Key Persons, or any other principal or investor as the Board may require.

- 3) Occupation License, Level 1. Personal Disclosure Form 1.

- 4) Occupation License, Level 2. Personal Disclosure Form 2.

- 5) Occupation License, Level 3. Personal Disclosure Form 3.

- b) Additional or Different Forms or Materials. An applicant may be required to submit forms or materials in addition to ~~different from, or from persons or business entities in addition to or different from~~ those listed in paragraph (a).

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c) Application Procedures

- 1) An applicant is seeking a privilege and assumes and accepts any and all risk of adverse publicity, notoriety, embarrassment, criticism or other action, or financial loss which may occur in connection with the application process.
- 2) Any misrepresentation or omission made with respect to an application may ~~shall~~ be grounds for denial of the application, ~~imposition of penalties, discipline, revocation, suspension, or other action.~~

- 3) Application forms and requested materials shall be submitted in triplicate. Application forms and requested materials for Owner's and Supplier's Licenses shall be submitted in bound form.

- 4) Applicants for Occupation Licenses shall be photographed and fingerprinted at the time of application at a place designated by the Administrator.

- 5) An application shall be deemed filed when the completed application form, including all required documents and materials, and the application fee have been submitted.

d) Amendments and Incorporation by Reference

- 1) An application may be amended only upon leave of the Board.

- 2) The Board may allow information, documents, or other materials submitted by an applicant to be incorporated by reference into a subsequent application.

e) Withdrawal of Applications.

- 1) An Owner's or Supplier's application may be withdrawn only upon leave of the Board.

- A) A request for leave to withdraw an application for an Owner's license shall not be considered by the Board unless received

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prior to Board action regarding a finding of preliminary suitability under Section 3000.230 paragraph (c). However, applicants who have been found preliminarily suitable, may seek leave to withdraw after such finding.

- B) A request for leave to withdraw an application for a supplier's license shall not be considered by the Board unless received prior to Board action on licensure under Section 3000.240.
- C) The Board may deny leave to withdraw an Owner's or Supplier's application if it determines that withdrawal of the application would not be in the best interests of the public and the Gaming industry.
- 2) If an application for an Owner's or Supplier's license is withdrawn, the applicant may not reapply for a license ~~of the same class~~ within one (1) year from the date of withdrawal is granted, without leave of the Board.
- 3) Applications for Occupational licenses may be withdrawn without leave of the Board, if written notification of withdrawal is received prior to Board action on licensure under Section 3000.245 and unless the intended withdrawal is objected to by the Administrator in which case leave of the Board is required.

(Source: Amended at 16 Ill. Reg. _____, effective _____).

Section 3000.230 Owner's Licenses

- a) Overview of Licensing Procedures. Applications for Owner's Licenses shall be subject to the following procedures prior to licensure:

- 1) Investigation of the applicant and application;
- 2) Finding of preliminary suitability;
- 3) Assessment of the Riverboat Gaming Operation;
- 4) Final practice Gaming excursion; and

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- 5) Action of the Board;
- 6) Different or additional licensing procedures as required of an applicant by the Board.
- b) Investigation of the Applicant and Application. An applicant is responsible for compliance with all requests for information, documents, or other materials relating to the applicant and the applicant's application.
- c) Finding of Preliminary Suitability
 - 1) An applicant for an Owner's License shall present to the Board in a public meeting the bases reasons why it is suitable for licensing.
 - 2) An applicant must satisfy the Board by clear and convincing evidence that the applicant:
 - A) Has met those requirements pursuant to of Section 7 of the Act;
 - B) Is a person or entity whose background, reputation and associations will not result in adverse publicity for the State of Illinois and its gaming industry;
 - C) Has adequate business competence and experience to be a holder of an Owner's License;
 - D) The proposed funding of the entire operation shall be adequate for the nature of the proposed operation and be from a suitable source.

3) ~~The Administrator shall then make a report to the Board in a public meeting concerning the suitability of an applicant for licensing.~~

34) After presentation by the applicant and the Administrator, the Board shall determine whether to find the applicant preliminarily suitable for licensing.

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- 45) If the Board finds the applicant preliminarily suitable for licensing, it shall issue the applicant a finding of preliminary suitability.
- 56) If the Board finds the applicant not preliminarily suitable for licensing, it shall issue the applicant a Notice of Denial.
- d) Whenever a change is proposed in the following areas from the application on file, an applicant for an Owner's license or the holder of an Owner's License must immediately inform the Board and obtain formal Board approval therefor:

- i) Key Persons;
- ii) Type of entity;
- iii) Equity and Debt capitalization of entity;
- iv) Investors and/or debt holders;
- v) Source of funds;
- vi) Applicant's Economic development plan;
- vii) Riverboat capacity or significant design change;
- viii) Gaming positions;
- ix) Anticipated Economic Impact; or
- x) pro forma budgets and financial statements.

ed) Assessment of the Riverboat Gaming Operation

- 1) After an applicant is found preliminarily suitable for licensing, the applicant's Riverboat Gaming Operation shall be assessed to determine its effectiveness, integrity, and compliance with law and Board standards.

A) The matters to be assessed include:

- i) The Gaming Operations Manager;

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- ii) Proposed Gaming operations and use of Gaming equipment;
- iii) The Riverboat and-Riverboat Gaming-Operation;
- iv) Handicapped access;
- v) Support Facilities;
- vi) Internal controls and operating procedures;
- vii) Security operations;
- viii) Staffing;
- ix) Casualty and liability insurance;
- x) Affirmative action hiring patterns;
- xi) The status of the financing commitments proposed in the applicant's application;
- xii) Information received subsequent to the preliminary finding of suitability concerning the applicant and the applicant's Key Persons; and
- xiii) Such-other-matters-as-the-Board-may-require- Riverboat capacity and Gaming positions;
- xiv) Fulfillment of Economic development plans as submitted in the application; and
- xv) Such other matters as the Board may require.

- B) The Board may establish a schedule setting a time table for the satisfactory compliance for all operations to be assessed.

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2) The Administrator shall report to the Board concerning the ~~suitability of the applicant and whether the applicant is a Riverboat Gaming Operator~~ per-licensing has satisfactorily complied with paragraph (e) of this Section.

3) After receipt of the Administrator's report, the Board shall determine whether to authorize a final practice Gaming excursion.

(f) Final Practice Gaming Excursion

The Board may authorize the Administrator to conduct a final practice Gaming excursion and to issue the applicant a Temporary Operating Permit if the final practice Gaming excursion is successfully completed.

1) In determining whether a final practice Gaming excursion has been successfully completed, the Administrator shall assess, among other matters, the effectiveness, safety and security of the Riverboat Gaming Operation as well as the matters listed in Section 3000.230 (ed)(1)(A).

2) If the Administrator determines that the final practice Gaming excursion has not been successfully completed, he shall so report to the Board.

3) If the Administrator determines that the final practice Gaming excursion has been successfully completed, he shall:

- A) Upon delivery of the applicant's license fee and a file stamped copy of the applicant's \$200,000 bond to the State of Illinois posted with the Board Secretary-of-State, issue the applicant a Temporary Operating Permit; and
- B) Report to the Board.

4) A Temporary Operating Permit allows the applicant to operate the Riverboat Gaming Operation to which it pertains until it is withdrawn or the Board takes action on the application.

5) A Temporary Operating Permit may be withdrawn by the Administrator if he determines that the Riverboat Gaming Operation to which it pertains is

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not suitable for continued operation. If the Administrator withdraws a Temporary Operating Permit, he shall so report to the Board.

(g) Action of the Board

1) If the Board finds the applicant suitable for licensing, it shall issue the applicant a license.

2) If the Board finds the applicant not suitable for licensing, it shall:

- A) Issue the applicant a Notice of Denial by certified mail; and
- B) If the applicant has been issued a Temporary Operating Permit, return the applicant's license fee.

(h) Notice of Denial

1) An applicant served with a Notice of Denial may request a hearing in accord with Section 3000.405.

2) If a hearing is not requested, the Notice of Denial becomes the final order of the Board denying the applicant's application.

(Source: Amended at 16 Ill. Reg. , effective).
Section 3000.231 Distributions

A holder of an Owner's License shall make distributions to its partners, stockholders or themselves only to the extent that such distribution will not impair the financial viability of the gaming operation. Factors to be considered should include but not be limited to the following:

- a) Working capital requirements;
- b) Debt service requirements;
- c) Requirements for repairs and maintenance; and
- d) Capital expenditure requirements.

(Source: Added at 16 Ill. Reg. , effective).

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Section 3000.235 Transferability of Ownership-Interest

- a) Ownership-Interests Owner's Licenses are not Transferable. An ownership interest in an a holder of an Owner's License or-in-a-business-entity-other-than-a publicly-held-business-entity-which-holds-an-Owner's License may not only be transferred without leave of the Board.
- 1) Any individual or entity filing an application for transfer of any ownership interest in a holder of an Owner's license must complete a Personal Disclosure Form 1 which will form the basis of Board investigation to determine suitability of the person or entity seeking transfer. All costs associated with Board investigation of the applicant for transfer will be born by the holder of an Owner's License the transfer of ownership interest in which is being sought.
- 2) Board decision as to suitability for transfer will be based on the same criteria as for a finding of preliminary suitability for licensure under Section 3000.230(d)(2)(A) and (d)(2)(B).
- 3) If the Board denies the application for transfer, it shall issue the applicant a Notice of Denial. An applicant served with a Notice of Denial may request a hearing in accord with Section 3000.405. If a hearing is not requested, the Notice of Denial becomes the final order of the Board denying the application for transfer.
- b) Ownership-Interests Owner's Licenses may not be Pledged. An ownership interest in an a holder of an Owner's License or-in-a-business-entity-other-than-a publicly-held-business-entity-which-holds-either directly-or-indirectly-an-Owner's-License may not only be pledged as collateral, to other-than-a-regulated bank-or-savings-and-loan-association without leave of the Board.
- c) Transferability of Ownership in publicly traded parent corporation. The Board shall (unless the investor qualifies as an institutional investor) require a Personal Disclosure Form 1 from any person or entity who or which, individually or in association with others, acquires directly or indirectly, beneficial ownership of more than 5% of any class of

voting or non-voting with conversion rights securities of a publicly traded corporation which holds an ownership interest in the holder of an Owner's License. The Personal Disclosure Form 1 will form the basis of Board investigation to determine suitability of the person or entity seeking transfer. All costs associated with Board investigation of the applicant for transfer will be born by the holder of an Owner's License in which the publicly traded holds a beneficial interest.

- 1) Board decision as to suitability for transfer will be based on the criteria for a finding of preliminary suitability for licensure under Section 3000.230(d)(2)(A) and (d)(2)(B).
- 2) If the Board denies the application for transfer, it shall issue the applicant a Notice of Denial. An applicant served with a Notice of Denial may request a hearing in accord with Section 3000.405. If a hearing is not requested, the Notice of Denial becomes the final order of the Board denying the application for transfer.
- 3) If no hearing is requested the applicant must promptly divest himself of his shares in the publicly traded parent corporation. The holder of an Owner's License may not distribute profits to the publicly traded parent corporation until such shares have been divested. If a hearing is requested, the shares need not be divested and profits may be distributed pending the issuance of a final Board Order under Section 3000.440.
- (Source: Amended at 16 Ill. Reg. _____, effective _____).
- Section 3000.240 Supplier's Licenses
- a) Overview of Licensing Procedures. Applications for Supplier's Licenses shall be subject to the following procedures prior to licensing:
- 1) Application;
 - 2) Investigation of the applicant; and
 - 3) Finding-of-suitability;-and
 - 3 4) Action of the Board.

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- 4 5) The Board may require an applicant to undergo different or additional licensing procedures.
- b) Investigation of the Applicant and Application. An applicant is responsible for compliance with all requests for information, documents, or other materials relating to the applicant and the applicant's application.
- c) An applicant for a Supplier's License shall present to the board in a public meeting the bases why it is suitable for licensing.
- d) In determining whether to grant such a license, the Board shall consider the character, reputation, financial integrity and experience of the applicant, its key persons and any person who controls, directly or indirectly, the applicant. In addition, the Board shall consider whether the aforementioned applicant and individuals' background, reputation and associations will result in adverse publicity for the State of Illinois and its Riverboat gaming industry. In addition, an applicant must demonstrate that it has sufficient competence to provide products or services for the supply of which it seeks licensing.
- e) An applicant must satisfy the Board by clear and convincing evidence that the applicant has met the requirements of Section 8 of the Act and Board Rules.
- 4†) Is-a-person-or-entity-whose-background,-reputation and-associations-will-not-result-in-adverse publicity-for-the-State-of-Illinois-and-its-gaming industry,-and
- 2†) Has-sufficient-competence-to-provide-products-or services-for-the-supply-of-which-it-seeks licensing.
- 4†) Finding-of-Suitability.--The-Administrator-shall-report all-relevant-information-produced-by-his-investigation to-the-Board-in-a-public-meeting-and-shall-indicate-his opinion-as-to-suitability.
- f9) Action of the Board
- 1) If the Board finds the applicant suitable for licensing, it shall direct the Administrator to issue the applicant a suppliers license upon

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- payment of the applicant's license fee,-including ~~applicante-extra-qualification-license-fees.~~
- 2) If the Board finds the applicant not suitable for licensing, it shall issue the applicant a Notice of Denial by certified mail.
- gh) Notice-of-Denial Request for Hearing
- 1) An applicant who is served with a Notice of Denial may request a hearing in accord with Section 3000.405.
- 2) If a hearing is not requested, the Notice of Denial becomes the final order of the Board denying the applicant's license application.
- h†) Reapplication for Denied License. If an applicant is denied a license, the applicant may not reapply for a license within one (1) year from the date on which the Board voted to deny his application, of-denial, without leave of the Board.
- (Source: Amended at 16 Ill. Reg. ____, effective ____).
- Section 3000.245 Occupational Licenses
- a) Overview of Licensing Procedures. Applications for Occupational Licenses shall be subject to the following procedures prior to licensing:
- 1) Application;
- 2) Issuance of a Temporary identification Badge;
- 3) Investigation of the applicant;
- 4†) Finding-of-suitability;
- 4 5) Action of the Board; and
- 5-6) Different or additional licensing procedures as required of the applicant by the Board.
- b) Temporary Identification Badge Requirements
- 1) Each occupational applicant shall receive from his employer a partially completed temporary identification badge. Applicant shall deliver

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such badge to a Board agent at applicant's employer's dock site facility for processing and completion.

Owner's License, may withdraw an Applicant's temporary identification badge upon determining a recommendation of denial to the Board.

2) The temporary identification badge shall:

A) Be a white 3-1/2" by 2" card bearing the name and logo of the Riverboat Gaming Operation;

B) Provide space for a 1" by 1-1/4" photograph;

C) Display applicant's first name and job title;

D) Provide a space for an eight (8) digit number;

E) Provide a space for the Administrator's signature;

F) Provide spaces for the dates of issuance and expiration of such temporary badge; and

G) Provide on the reverse side a line for the employee's last name, signature, social security number and date of birth.

3) Upon presentation of the partially completed badge to a Board agent at the dock facility, the applicant shall be photographed and fingerprinted by the agent who shall complete and laminate the badge.

4) Temporary identification badges are not transferable and upon resignation or termination the temporary identification badge of employment must be returned by the occupational license applicant to the holder of an Owner's License or to the Board. If returned to the holder of an Owner's License, the holder must then return the badge to the Board.

5) Withdrawal of temporary identification badge

A) The Administrator, upon written notification to the applicant and the holder of the

B)

If an applicant's temporary identification badge is withdrawn, the applicant is not permitted to work for the riverboat gaming operation until and unless the Board issues a license to the applicant.

C)

If an applicant's temporary identification badge is withdrawn, the applicant's application for licensing will proceed to Board action unless it is withdrawn by the applicant prior to Board action on licensure.

c)

Investigation of the Applicant and Application. An applicant is responsible for compliance with all requests for information, documents, or other materials relating to the applicant and the applicant's his application.

d)

Finding of Suitability---The Administrator shall report all relevant information produced by his investigation to the Board and shall indicate his opinion as to suitability.

de)

Action of the Board

1) In determining whether to grant such a license, the Board shall consider the character and reputation of the applicant and the qualifications of the applicant to perform the duties of the position to be licensed.

2) If the Board finds the applicant suitable for licensing, it shall direct the Administrator to issue the applicant a license upon payment of the applicant's license fee, including applicable extra qualification license fees. If the applicant's license fee, including applicable extra qualification license fees, is not received by the Board within 10 business days after the date of mailing notification of the applicant's suitability for licensing to the applicant, the Administrator shall withdraw the applicant's

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~~Temporary Permit~~ identification badge and report to the Board.

- 3) If the Board finds the applicant not suitable for licensing, it shall issue the applicant a Notice of Denial by certified mail.

~~ef) Notice of Denial Request for Hearing~~

- 1) An applicant who is served with a Notice of Denial may request a hearing in accordance with Section 3000.405.

- 2) If a hearing is not requested, the Notice of Denial becomes the final order of the Board denying the applicant's license application.

~~fg) Reapplication for Denied License.~~ If an applicant is denied a license, the applicant may not reapply for a license within one (1) year from the date on which the Board voted to deny his application, ~~of denial~~, without leave of the Board.

~~gh) Permanent Identification Badge Requirements~~

- 1) Upon notification of a finding of suitability by the Board and issuance of an Occupational License to applicant, applicant shall receive from his employer a partially completed permanent identification badge. Applicant shall deliver such badge to a Board agent at applicant's dock site facility for completion and processing.

- 2) The permanent identification badge shall:

- A) Be of a color selected by the Riverboat Gaming Operation for use on all permanent identification badges utilized by its Occupational Licensees;
- B) Be a 3-1/2" by 2" card bearing the name and logo of the Riverboat Gaming Operation;
- C) Provide space for a 1" by 1-1/4" photograph;
- D) Provide a space for an eight (8) digit number;

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- E) Display the employee's first name and job title;
- F) Provide a space for the Administrator's signature;
- G) Provide a space for the dates of issuance and expiration of applicant's Occupational License;
- H) Provide on the reverse side of the card a line for the employee's last name, signature, social security number and date of birth.

- 3) Permanent identification badges are not transferable and upon resignation or termination of employment ~~the permanent identification badge must be returned by the occupational licensee to the holder of an Owner's License or to the Board. If returned to the holder of an Owner's License, the holder must then return the badge to the Board.~~

~~h) Display of Identification Badges~~

Identification badges as ~~defined in~~ required by Section 3000.240 245 (e b) and (i g) of these rules shall be worn by all ~~occupational license applicants~~ employees during work hours; and Occupational Licensees including such persons employed on the dock site. Identification badges shall be clearly displayed.

- ~~i) A fee of \$10.00 shall be paid to the Board for any necessary replacement(s) of identification badges.~~

(Source: Amended at 16 Ill. Reg. _____, effective _____).

Section 3000.250 Transferability of Licenses

Licenses issued by the Board ~~and the privileges which they provide~~ may not be transferred by a licensee to another person or entity ~~without leave of the Board~~.

(Source: Amended at 16 Ill. Reg. _____, effective _____).

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Section 3000.281

Transfer of License-Expiration Registration All-licenses-herein-provided; Registrations are not transferable from one Gaming device to another device.

All costs for transportation and analysis will be borne by the holder of an Owner's License, and will be billed to the holder of an Owner's License by the Board.

(Source: Amended at 16 Ill. Reg. _____, effective _____).

(Source: Amended at 16 Ill. Reg. _____, effective _____).

Section 3000.282

Seizure of Gaming Devices

Any Gaming device without a current registration tag shall be subject to seizure. Any agent of the Board may demand and gain access to any property relating to a Riverboat Gaming Operation, inclusive of Support Facilities and seize any Gaming device which does not bear a current registration tag or is operating in a manner that violates any provision of the Act, Board Rules or a holder's Internal Control System. Such Gaming devices so seized shall be subject to confiscation and forfeiture. In the event the Board seizes Gaming Devices in accordance with this Section, the Board shall notify the holder of an Owners license of such seizure and of the holder's right to a hearing under Subpart K of these Rules.

Section 3000.300 Objectives of Internal Control System

The holder of an Owner's License shall establish an Internal Control System, the procedures of which shall be designed to reasonably insure that:

- a) Assets are safeguarded;
- b) Financial records are accurate and reliable;
- c) Transactions are performed only in accordance with the specific or general authorization of the holder of an Owner's License;
- d) Transactions are recorded adequately to permit proper reporting of Adjusted Gross Receipts and of fees and taxes, to maintain accountability for assets, and in conformity with generally accepted accounting principles;
- e) Access to assets is permitted only by authorized personnel;
- f) Recorded accountability for assets is compared with actual assets at reasonable intervals and appropriate action is taken with respect to any discrepancies; and
- g) Functions, duties and responsibilities are appropriately segregated and performed in accordance with sound practices by competent, qualified personnel.

h) Gaming is conducted with integrity.

(Source: Amended at 16 Ill. Reg. _____, effective _____).

Section 3000.320 Requirements

The Internal Control System shall include without limitation the following:

Section 3000.283 Analysis of Questioned Electronic Gaming Devices

(Source: Amended at 16 Ill. Reg. _____, effective _____).

- a) If the operation of any Electronic Gaming Device is questioned by any holder of an Owner's License, patron or Board agent, the questioned device will be examined in the presence of a Board agent and a representative of the holder of a Board agent and a representative of the holder of an Owner's License. If the malfunction can not be cleared by other means to the mutual satisfaction of the patron and the holder of an Owner's License, the Electronic Gaming Device will be subjected to an EPROM memory test to verify "signature" comparison by a Board agent.

- b) In the event that the malfunction can-not cannot be determined and corrected by this testing, the Electronic Gaming Device may be removed from service and secured in a remote, locked compartment. The Electronic Gaming Device may then be transported to an industry-recognized laboratory selected by the Administrator where the device will be fully analyzed to determine the status and cause of the malfunction.

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- a) An organizational chart depicting the appropriate segregation of functions and responsibilities.
- b) A description of the duties and responsibilities of each position shown on the organizational chart.
- c) A detailed, narrative description of the administrative and accounting procedures designed to satisfy the requirements of Section 3000.300 including without limitation a separate section for the following:

1) Live Games

- A) Physical characteristics of drop box and tip box.
- B) Transportation of drop and tip boxes to and from Gaming tables.
- C) Procedures for table-inventories Chip purchases.

D) Procedure for Chip Inventory.EB) Procedures for opening Gaming tables.FE) Procedures for accepting cash and cash equivalents at Gaming tables.GF) Procedures for fills and credits.HS) Procedures for accepting tips or gratuities from patrons.IH) Procedures for transporting Chips and Tokens to and from Gaming tables.JF) Procedures for shift changes at Gaming tables.KF) Procedures for closing Gaming tables.

2) Electronic Gaming Devices

A) Drop bucket characteristics.

B) Transportation of drop buckets to and from Electronic Gaming Devices.

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- C) Procedures for Token purchases.
- D) Procedures for Token inventory.
- E) Procedures for hopper fill.
- F) Procedures for transportation of Electronic Gaming Devices.
- G) Procedures for hand-paid jackpots.

3) Cashier's cage

A) Layout and physical characteristics.

B) Procedures for accounting controls.

C) Procedures for exchange of checks submitted by Gaming patrons.

D) Procedures for granting credit.

E) Procedures for acceptance, accounting for and redemption of patrons' cash deposits.

F) Procedures for control of coupon redemption and other complimentary distribution programs.

G) Procedures for shoreside facilities.

H) Procedures for Federal Cash Transactions reporting.

4) Count Room

A) Characteristics.

B) Procedures for counting and recording Gaming table drop and tip boxes.

C) Procedures for counting and recording Electronic Gaming Device drop buckets.

5) Internal Audit

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- d) A description of and procedures for a holder's security and surveillance systems, and all rules concerning live Games.

(Source: Amended at 16 Ill. Reg. _____, effective _____).

SUBPART D: HEARINGS ON NOTICE OF DENIAL OR PLACEMENT ON EXCLUSION LIST

Section 3000.400 Coverage of Subpart

The rules contained in this Subpart shall govern all hearings requested upon issuance of a Notice of Denial of licensure, Notice of Denial of an application for transfer of ownership interest, or a Notice of Placement on Exclusion List. Hearings under this Subpart are de novo proceedings for the creation of an evidentiary record regarding the placement of an individual on an exclusion list or an applicant's suitability for licensure or transfer. A hearing under this Subpart is not an appeal of Board action.

(Source: Amended at 16 Ill. Reg. _____, effective _____).

Section 3000.405 Requests for Hearings

- a) All requests for hearings must:

- 1) Be in writing;
- 2) State the name, current address and current telephone number of the petitioner; and
- 3) State the matter number contained on the Notice of Denial or the Notice of Exclusion served on the petitioner;
- 4) State the particular section of the Act or Board rule involved; and

- 5) State in detail the reasons why and the facts upon which the petitioner will rely to show, in cases involving licensing or transfer of ownership, that the petitioner is suitable for licensure or transfer, including specific responses to any facts enumerated in the Board's Notice of Denial. In matters involving exclusion, the petitioner shall state in detail the reasons why and the facts upon which the petitioner will rely to demonstrate why he should not be excluded.

- 4) All requests for hearings must be verified. Such verification shall be notarized and shall include a certification in the following form:
The undersigned certifies that the statements set forth in this request for hearing are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

- b) A request for hearing must be submitted within five (5) days after service the date of delivery of the Notice of Denial. A request for hearing must be submitted within thirty (30) days after service date of delivery of Notice of Exclusion.

- 1) The petitioner may submit a request for hearing by:

- A) Personal Delivery;
- B) Certified Mail, postage prepaid; or
- C) Overnight express mail, postage prepaid.

- 2) All requests for hearings must be submitted to the Administrator, with a copy sent to the Chief Legal Counsel in duplicate at either of the Board's offices in Springfield or Cook County.

- 3) A request for hearing submitted by certified mail or overnight express mail shall be deemed timely submitted if it is postmarked no later than five (5) days after service date of delivery of a Notice of Denial in accordance with the Act, or thirty (30) days after service of the Notice of Exclusion.

- 4) No documents or papers shall be considered-filed until actually received by the Board.

- c) A request for hearing should be deemed granted, unless denied. The Board may deny a request for hearing if the statement of reasons and facts which it contains does not establish a prima facie case.

- d) A request for hearing may not be withdrawn or voluntarily dismissed if the Board determines that

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withdrawal or voluntary dismissal is not in the best interests of the public and the gaming industry. If the Board allows an applicant to withdraw a hearing request, the initial denial becomes a final Board order.

e) The Board may limit the number of contested issues relating to a petitioner's suitability by specifically responding to a petitioner's request for a hearing with a statement of contested issues. Such statement will then establish the scope of relevance in the ensuing hearing.

f) The petitioner shall be served with written notice of the time and place of the hearing by:

- 1) Personal delivery;
- 2) Certified mail, postage prepaid; or
- 3) Overnight express mail, postage prepaid.

f) The Chairman of the Board may appoint a Board member or an Administrative Law Judge to conduct a hearing, in accordance with this Subpart. The petitioner will be copied on the letter of appointment and such letter will serve as notice of the pendency of the hearing. The hearing officer shall establish a status date and notify the parties thereof.

(Source: Amended at 16 Ill. Reg. _____, effective _____).

Section 3000.410 Appearances

a) A party petitioner may be represented by an attorney who is licensed in Illinois. All attorneys who appear in a representative capacity on behalf of a party petitioner must file written notice of appearance setting forth:

- 1) The name, address and telephone number of the attorney(s);
- 2) The name and address of the party represented; and
- 3) An affirmative statement indicating that the attorney is licensed in Illinois.

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b) Only individual attorneys may file appearances. Any petitioner's attorney who has not filed an appearance may not address the hearing officer or sign pleadings.

cb) A member in good standing of the bar of the highest court of any state or of any United States District Court may, upon motion, be permitted to argue or conduct a particular hearing in whole or in part. The petition for admission under this subsection by of this Section may be presented to the hearing officer by the petitioner.

d) An attorney may only withdraw his appearance upon written notice to the hearing officer stating the reasons therefor.

ed) Any individual A petitioner may appear on his own behalf.

fe) A partnership may be represented by a partner.

(Source: Amended at 16 Ill. Reg. _____, effective _____).
Section 3000.415 Discovery

a) Upon written request served on the opposing party, any a party shall be entitled to:

- 1) The name and address of any witness who may be called to testify on behalf of the opposing party; and
- 2) All documents or other materials in the possession or control of the opposing party, which a the opposing party reasonably expects will be necessary to introduce into evidence. Petitioners burden of production includes those documents Petitioner reasonably expects to introduce into evidence either in his case-in-chief or in rebuttal. Rebuttal documents, to the extent that they are not immediately identifiable, shall be tendered to Respondent within two (2) weeks of receipt of documents tendered to Petitioner by Respondent unless additional time is granted by the hearing officer.

b) Discovery may be obtained only through written requests to produce witness lists, documents or other materials,

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as specified in subsection a) of this Section. Witnesses and documents responsive to a proper request for production that were not produced shall be excluded from the hearing and additional sanctions or penalties may be imposed.

- c) Subpoenas for the attendance of witnesses ~~or subpoenas duces-tecum for the production of documents, records or other materials~~ may be served by the petitioner only upon application to the hearing officer.

- 1) The ~~applicant~~ petitioner must show good cause, state the testimony to be elicited from a witness, and why the evidence to which the testimony relates cannot otherwise be obtained, and state the reasons why the testimony ~~or materials are~~ is necessary and relevant.

- 2) An agent ~~of the Board~~ or employee of the Board may not be required to appear except under the procedures provided in this Section.

(Source: Amended at 16 Ill. Reg. _____, effective _____).

Section 3000.425 Proceedings

- a) The burden of proof is at all times on the petitioner. The petitioner shall have the affirmative responsibility of establishing by clear and convincing evidence either that the petitioner is suitable for licensing or a transfer of ownership or that the petitioner should not be excluded under Section 3000.720.

- b) ~~At~~ Any testimony shall be given under oath or affirmation.

- c) Both parties may present an opening statement on the merits. Petitioner proceeds first.

- d) The petitioner shall then present its case-in-chief ~~in support of its suitability for licensure~~.

- e) Upon conclusion of the petitioner's case-in-chief, the respondent may move for a directed finding. The hearing officer may hear arguments on the motion or may grant, deny or reserve decision thereon, without argument.

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- f) If no motion for directed finding is made, or if such motion is denied or decision reserved thereon, the respondent may present its case.

- g) Each party may conduct cross-examination of adverse witnesses.

- h) Upon conclusion of the respondent's case, the petitioner may present evidence in rebuttal.

- i) Both parties may present closing argument. The petitioner proceeds first, then the Respondent and thereafter the petitioner may present rebuttal argument.

(Source: Amended at 16 Ill. Reg. _____, effective _____).

Section 3000.430 Evidence

- a) The hearing need not be conducted according to technical rules of evidence. Any relevant evidence may be admitted and shall be sufficient in itself to support a finding if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in a civil action.

- 1) If relevant, official Illinois Gaming Board records or certified copies thereof shall be admissible into evidence if such records tend to prove or disprove an applicant's suitability for licensure or for a transfer of ownership or that an individual should be excluded from the Riverboats under the Act or Board Rules.

- 2) Official Illinois Gaming Board records are documents either prepared by or provided to the Board for use in evaluating an applicant or for use in determining whether an individual should be excluded from a Riverboat Gaming Operation.

- 3) A petitioner must afford the Board an opportunity to investigate and verify information that petitioner intends to offer in support of his case. Petitioner shall not be permitted to introduce into evidence any information with

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regard to which the Board was not afforded the opportunity to investigate and verify.

- b) The parties should, to the fullest extent possible, stipulate to all matters which are not or fairly should not be in dispute.
- c) The parties may make objections to evidentiary offers. When an objection is made, the hearing officer may receive the disputed evidence subject to a ruling at a later time.

d) Copies of the records of the Board maintained in any form which are reproduced in the name of the Board under the certificate of the Chairman of the Board or his designee may be proved in any hearing or legal proceeding. Such reproduced copy shall, without further proof, be admitted into evidence.

de) The hearing officer may take official notice of any generally accepted information or technical or scientific matter within the field of gaming, and any other fact which may be judicially noticed by courts of this State. The parties shall be informed of any information, matter or facts so noticed, including any staff memoranda or data, and shall be given reasonable opportunity to refute such information.

f) Any party or its representative shall not communicate directly or indirectly with the hearing officer regarding any pending matter, except upon notice to and opportunity for to all parties to participate.

(Source: Amended at 16 Ill. Reg. _____, effective _____).

Section 3000.431 Prohibition on Ex Parte Communication

A party or its representative shall not communicate directly or indirectly with the hearing officer regarding any pending matter, except upon notice to and opportunity for all parties to participate.

(Source: Added at 16 Ill. Reg. _____, effective _____).

Section 3000.435 Sanctions and Penalties

- a) The hearing officer may impose sanctions and penalties if the hearing officer finds that a party has acted in bad faith, for the purpose of delay, or has otherwise

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abused the hearing process. Such sanctions and penalties include but are not limited to default judgment or directed finding on one or more issues.

- b) If a party petitioner fails to testify in on his own behalf with respect to any question propounded to him, the hearing officer may infer therefrom that such testimony or answer would have been adverse to the case of the party refusing to testify.

- c) If the petitioner or its agent fails to answer a subpoena or a summons or refuses to testify fully at the request of the Board or its agents, such failure or refusal may be deemed independent grounds for a finding that the petitioner is unsuitable for licensing or that the petitioner should be placed on the Exclusion list. In addition, the hearing officer may infer therefrom that such testimony would have been adverse to the petitioner.

- d) Failure of any-party petitioner to appear at a hearing shall constitute an admission of all matters and facts contained in the Notice of Denial or Request for Hearing. In such cases the hearing officer may take action based upon such admission or upon any other evidence, including affidavits, without any further notice to the party petitioner.

(Source: Amended at 16 Ill. Reg. _____, effective _____).

Section 3000.440 Transmittal of Record and Recommendation to the Board

- a) The record shall consist of the following:

- 1) The Notice of Denial or Notice of Exclusion, the Request for Hearing and all motions and rulings thereon;
- 2) All evidence received;
- 3) A statement of matters officially noticed;
- 4) Offers of proof, objections and rulings thereon;
- 5) The recommendations and any findings of fact and conclusions of law made by the hearing officer.

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- b) Oral proceedings or any part thereof involving contested issues shall be recorded stenographically or by such other means as to adequately insure the preservation of such testimony or oral proceedings and shall be transcribed on request of any party. Said transcript shall be paid for by the requesting party.
- c) Upon conclusion of the hearing, the hearing officer shall issue to the Board written findings of fact and conclusions of law and his recommendations. Findings of fact shall be based exclusively on the evidence and on matters officially noticed.
- d) Final Board Order
- 1) The Board shall review the entire record and shall render a written order including the bases for its decision. ~~decision-on-the-merits-which-shall contain-findings-of-fact-and-law-and-will thereafter-issue-a-final-Board-order~~
 - 2) Copies of the final Board order shall be served on a-party petitioner by personal delivery, certified mail or overnight express mail.
 - 3) A final Board order shall become effective upon personal delivery to a party or upon posting by certified or overnight express mail.

(Source: Amended at 16 Ill. Reg. ____, effective ____).

Section 3000.445 Status of Applicant for License or Transfer Upon Filing Request for Hearing

An applicant who has been denied a license or seeks transfer of an ownership interest and has requested a hearing under this Subpart shall still be considered an applicant for purposes of compliance with applicable statutory provisions and Board Rules.

(Source: Added at 16 Ill. Reg. ____, effective ____).

SUBPART F: CONDUCT OF GAMING

Section 3000.600 Wagering Only with Approved Chips, Tokens and Electronic Cards

Riverboat Gaming Wagers may be made only with Chips, Tokens or electronic cards approved by the Administrator and purchased from a holder of an Owner's License. Such Chips, Tokens or

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Electronic cards may only be used for wagering while aboard the Riverboat.

(Source: Amended at 16 Ill. Reg. ____, effective ____).

Section 3000.620 Submission of Chips for Review and Approval

Each holder of an Owner's License shall submit to the Administrator for approval a sample of each denomination of Value and Non-Value Chips in its primary and secondary sets and shall not utilize such Chips for Gaming purposes until approved by the Administrator.

- a) In requesting approval of such Chips, a holder of an Owner's License, prior to having any such Chips manufactured, shall first submit to the Administrator a detailed schematic of its proposed Chips, or a sample Chip, which shall show the front, back and edge of each denomination of Value Chip and each Non-Value Chip and the design and wording to be contained thereon all of which shall be depicted on such schematic or Chip as they will appear, both as to size and location, on the actual Chip. Once the design schematics or Chip are approved by the Administrator, no Value or Non-Value Chip shall be issued or utilized until and unless a sample of each denomination of Value Chip and each color of Non-Value Chip is also submitted to and approved by the Administrator.

- b) No holder of an Owner's License or other person licensed by the Board shall manufacture for, sell to, distribute to or use in any casino outside of Illinois, any Value or Non-Value Chips having the same edge design as those approved for use in Illinois.

(Source: Amended at 16 Ill. Reg. ____, effective ____).

Section 3000.635 Issuance and Use of Tokens for Gaming in Electronic Gaming Devices

- a) No holder of an Owner's License shall issue or cause to be utilized in ~~the~~ a Riverboat Gaming Operation any Tokens for Gaming in Electronic Gaming Devices unless such Tokens are approved by the Administrator. In requesting approval of such Tokens, the holder of an Owner's License shall first submit to the Administrator a detailed schematic of its proposed Token which shall show its front, back and edge, its diameter and thickness and any logo, design or wording to be

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contained thereon, all of which shall be depicted on such schematic as they will appear, both as to size and location, on the actual Token. Once the design schematics are approved by the Administrator, no Token shall be issued or utilized until a sample of such Token is also submitted and approved by the Administrator.

- b) A holder of an Owner's License may, with the approval of the Administrator, issue metal Tokens designed for Gaming in its Electronic Gaming Devices. Such Tokens shall:

- 1) Clearly identify the name and location of the Riverboat Gaming Operation issuing them;
- 2) Clearly state the face value of the Token;
- 3) Contain the statement "Not Legal Tender;"
- 4) Not be deceptively similar to any current or past coin of the United States or a foreign country;
- 5) Be of a size or shape or have other characteristics which will physically prevent their use to activate lawful vending machines or other machines designed to be operated by coins of the United States; and
- 6) Not be manufactured from a ferromagnetic material or from a three-layered material consisting of a copper-nickel alloy clad on both sides of a pure copper core or from a copper based alloy except if the total zinc, nickel, aluminum, magnesium and other alloying metal exceeds 25 percent (25%) of the Token's weight.

- c) Tokens approved for issuance by a holder of an Owner's License shall be:

- 1) Issued to a patron upon payment therefor, or in accordance with a complimentary distribution program authorized pursuant to the Act;
- 2) Capable of insertion into designated Electronic Gaming Devices operated by the holder of an Owner's License for the purpose of activating play;

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- 3) Available as a payout from the hopper of such Electronic Gaming Devices; and
- 4) Redeemable by the patron in accordance with the Act.

(Source: Amended at 16 Ill. Reg. ____, effective ____).

SUBPART G: EXCLUSION OF PERSONS

Section 3000.730 Procedure for Entry of Names

- a) Upon a determination that a person comes under any one of the criteria listed in Section 3000.8720, such person shall be deemed a candidate for exclusion and, the Administrator shall file a Notice of Exclusion.

Such Notice shall include the identity of the candidate, the nature and scope of the circumstances or reasons that such person should be placed on the Exclusion List, names of potential witnesses, and a recommendation as to whether the exclusion or ejection shall be permanent. The Notice shall also inform such person of the availability of a hearing by the Board pursuant to Subpart D. A request for a hearing must be made within thirty (30) days from the date the Notice of Exclusion was filed postmarked.

- b) When a person is excluded or ejected, such person is prohibited from further contact of any kind with any Riverboat Gaming Operation in the State of Illinois unless and until a determination is made by the Board on the merits of a filed Notice of Exclusion or a requested hearing pursuant to Subpart D of these rules. If a determination by the Board is examined under judicial review pursuant to Section 17.1 of the Act, then the exclusion shall continue until the judicial review is completed.

- c) If the Board or a subsequent judicial review finds in favor of the candidate or Excluded Person, then his name shall be removed from the Exclusion List and his exclusion shall be terminated as of the date of the action by the Board or the court. If the finding is against the candidate or Excluded Person, his name shall be placed on the Exclusion List. If no hearing is requested, the person's name shall be placed on the Exclusion List. If the Notice of Exclusion requests a temporary exclusion, and the Administrator agrees to make the exclusion temporary, the Administrator shall

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set the term of the temporary exclusion. In making this time determination, the Administrator may consider the recommendation of his staff, but in no case shall such a temporary exclusion be less than six (6) months. Such temporary exclusion or ejection shall only apply to those persons excluded or ejected for criteria as it relates to conduct. All other exclusions or ejections shall be permanent.

(Source: Amended at 16 Ill. Reg. _____, effective _____).

SUBPART H: SURVEILLANCE AND SECURITY

Section 3000.800 Required Surveillance Equipment

The holder of an Owner's License shall install in the Riverboat a closed circuit television system in accord with the specifications herein and shall provide access to the system or its signal by the Board. The closed circuit television must meet or exceed the following specifications:

- a) Solid state, black and white cameras, 2/3 or 1/2 format, with minimum 400 plus line resolution installed in fixed positions with matrix control and/or with pan, tilt and zoom capabilities, secreted from public and non-security personnel view to effectively and clandestinely monitor in detail, from various vantage points, the following:
 - 1) The Gaming conducted at the Electronic Gaming Devices;
 - 2) The master display board and the number or ball selection device for Keno;
 - 3) The count processes conducted in the count rooms;
 - 4) The movement of cash, Chips, drop boxes, tip boxes, Token storage boxes, and drop buckets within the Riverboat and any area of transit of uncounted Tokens, Chips, cash and cash equivalents;
 - 5) Any area where Tokens or Chips can be purchased or redeemed;
 - 6) The entrance and exits to the Riverboat and the count rooms;

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- 7) For all live Games regardless of patron or employee position:
 - A) Hands of all Gaming patrons and dealers;
 - B) Tray; and
 - C) Overall layout of the table area capable of capturing clear individual images of Gaming patrons and dealers, inclusive of, without limitation, facial views and the playing surface so that the outcome of each game may be clearly observed.
- 8) Such other areas as the Administrator designates.
 - b) Individual solid state, color, television cameras, 2/3 or 1/2 format, with minimum 320 plus line resolution with matrix and/or pan, tilt and zoom capabilities, secreted from public and non-security personnel view augmented with appropriate color corrected lighting to effectively and clandestinely monitor in detail, from various vantage points, the following:
 - 1) ~~Baccarat~~ and Roulette tables, in a manner to clearly observe the Wagers, patrons, and the outcome of each Game;
 - 2) The operations conducted at the fills and credit area of the cashier's cage(s);
 - c) All closed circuit cameras equipped with lenses of sufficient magnification to allow the operator to clearly distinguish the value of the Chips, Tokens and playing cards;
 - d) Video monitors that meet or exceed the resolution requirement for video cameras with solid state circuitry, and time and date insertion capabilities for taping what is being viewed by any camera in the system. Each video monitor screen must measure diagonally at least twelve (12) inches and all controls must be front mounted;
 - e) Video printers capable of adjustment and possessing the capability to generate instantaneously, upon command, a clear, color and/or black and white, copy of the image depicted on the videotape recording;

- f) Date and time generators based on a synchronized, central or master clock, recorded on tape and visible on any monitor when recorded;
 - g) Wiring to prevent tampering. The system must be supplemented with a back-up gas/diesel generator power source which is automatically engaged in case of a power outage and capable of returning to full power within seven (7) to ten (10) seconds;
 - h) An additional uninterrupted power supply system so that time and date generators remain active and accurate, and switching gear memory and video surveillance of all riverboat entrances/exits and cage areas is continuous;
 - i) Video switchers capable of both manual and automatic sequential switching for the appropriate cameras;
 - j) Videotape recorders capable of producing high quality first generation pictures with a horizontal resolution of a minimum of 240 plus lines non-consumer, industrial grade, and recording on a standard 1/2 inch, V.H.S. tape with high-speed scanning and flickerless playback capability in real-time. Such videotape recorders must possess time and date insertion capabilities for taping what is being viewed by any camera in the system;
 - k) Audio capability in the soft count room; and
 - l) Adequate lighting in all areas where camera coverage is required. The lighting shall be of sufficient intensity to produce clear videotape and still picture production, and correct color correction where color camera recording is required. The video must demonstrate a clear picture, in existing light under normal operating conditions.
- (Source: Amended at 16 Ill. Reg. _____, effective _____).

Section 3000.850 Dock Site Board Facility

The holder of an Owner's License shall provide a secure and segregated room at the dock site for the exclusive use of Board agents. This room shall be in addition to the Board Surveillance Room provided for Board agents on the Riverboat. The dock site room shall be of a size approved by the Administrator. The dock

- site room shall include a secure telephone line with a different number than the telephone lines on the Riverboat.
- (Source: Amended at 16 Ill. Reg. _____, effective _____).
- SUBPART J: ACCOUNTING RECORDS AND PROCEDURES
- Section 3000.1000 Ownership Records
- a) A holder of an Owner's License shall keep and provide to the Board upon request the following records.
 - 1) If a corporation:
 - A) A certified copy of the articles of incorporation and any amendments;
 - B) A certified copy of the bylaws and any amendments;
 - C) A certificate of good standing from the state of its incorporation;
 - D) A certificate of authority from the Illinois Secretary of State authorizing it to do business in Illinois, if such corporation is operating as a foreign corporation in Illinois;
 - E) A list of all current and former officers and directors;
 - F) A certified copy of minutes of all meetings of the stockholders and directors;
 - G) A current list of all stockholders including the names of beneficial owners of shares held in street or other names;
 - H) The name of any business entity and a current list of all stockholders in such entity including the names of beneficial owners of shares held in street or other names, in which such corporation has a direct, Indirect or Attributed interest;
 - I) A copy of the stock certificate ledger;

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- J) A complete record of all transfers of stock;
- K) A record schedule of amounts paid to the corporation for issuance of stock and other capital contributions and dates thereof;
- L) A record schedule of all dividends distributed by the corporation; and
- M) A record schedule of all salaries, wages, and other remuneration (including perquisites), direct or indirect, paid during the calendar or fiscal year, by the corporation, to all officers, directors, and stockholders with an ownership interest at any time during the calendar or fiscal year, equal to or greater than five percent (5%) of the outstanding capital stock of any class of stock.
- 2) If a partnership:
- A) A certified copy of the partnership agreement;
- B) A certificate of limited partnership of its domicile;
- C) A list of the partners, including names, addresses, the percentage of interest in net assets, profits and losses held by each, the amount and date of each capital contribution of each partner, and the date the interest was acquired;
- D) A record schedule of all withdrawals of partnership funds or assets; and
- E) A record schedule of salaries, wages and other remuneration (including perquisites), direct or indirect, paid to each partner during the calendar or fiscal year.
- 3) If a sole proprietorship:
- A) A schedule showing the name and address of the proprietor and the amount and date of his original investment;

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- B) A record schedule of dates and amounts of subsequent additions to the original investment and any withdrawals; and
- C) A record schedule of salaries, wages and other remuneration (including perquisites), direct or indirect, paid to the proprietor during the calendar or fiscal year.

(Source: Amended at 16 Ill. Reg. ____, effective ____).

Section 3000.1010 Accounting Records

- a) The holder of an Owner's License shall maintain complete, accurate, legible and permanent records of all transactions pertaining to its revenues and expenses, assets, liabilities and equity. The Administrator may, from time to time, direct the holder of an Owner's License to alter the manner in which such records are maintained.
- b) ~~General~~ The accounting records shall be maintained ~~on~~ using a double entry system of accounting with transactions recorded on the accrual basis and supported by detailed, ~~supporting~~ and subsidiary records.
- c) The Administrator shall prescribe a uniform chart of accounts ~~and including~~ accounting classifications in order to insure consistency, comparability, and ~~effective~~ appropriate disclosure of financial information. The prescribed chart of accounts shall be the minimum level of detail to be maintained for each accounting classification by the holder of an Owner's License.
- d) The detailed ~~supporting and~~ subsidiary records ~~of the holder of an Owner's License~~ shall include ~~as a minimum~~ the following: ~~without limitation~~:
- 1) Detailed ~~records~~ general ledger accounts identifying all revenues sources, expenses, assets, liabilities and equity for the holder of an Owner's License;
 - 2) Records of all investments, advances, loans and receivable balances, other than patron checks, due the establishment;

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- 3) Record of all loans and other amounts payable by the holder of an Owner's License;
- 4) Record of all patron checks initially accepted by the holder of an Owner's License, deposited by the owner, returned to the owner as "uncollected" and ultimately written-off as uncollectible by the holder of an Owner's License;
- 5) Journal entries prepared by the holder of an Owner's License and the independent accountant selected by the Administrator;
- 6) Tax workpapers used in preparation of any state or federal tax return;
- 7) Records which identify Table Drop, Table Win and percentage of Table Win to Table Drop for each live table Game and those records accumulated for each type of live table Game, either by shift or other accounting period approved by the Administrator;
- 8) Records which identify the actual tokens-in, tokens-out, Electronic Gaming Device Drop, Electronic Gaming Device Win, Electronic Gaming Device Win to Electronic Gaming Device Drop and Theoretical Payout Percentage for each Electronic Gaming Device on a per day basis or other accounting period approved by the Administrator;
- 9) Records supporting the accumulation of the costs for complimentary services and items. A complimentary service or item provided to patrons in the normal course of an owner's business shall be recorded at an amount based upon the full retail price normally charged for such service or item;
- 10) Records which identify the purchase, receipt, and destruction of Gaming Chips and Tokens from all sources including receipts from bill changers;
- 11) Records required to fully comply with all the Federal Financial Record-keeping requirements as enumerated in Title 31 C.F.R., part 103.
- 12) Records required by the holder of an Owner's License's Internal Control System; and

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- 13) Workpapers supporting the daily reconciliation of cash accountability, and;
- 14) Any other records that the Administrator requires be maintained.
- e) If a holder of an Owner's License fails to maintain the records used by it to calculate the Adjusted Gross Receipts or the number of persons admitted on the Riverboat, the Administrator may compute and determine the amount upon the basis of an audit conducted by the Board based upon available information, of any information within the Board's possession, or statistical analysis.

(Source: Amended at 16 Ill. Reg. _____, effective _____).

Section 3000.1020 Standard Financial and Statistical Records

- a) The holder of an Owner's License, unless specifically exempted by the Administrator, shall file monthly, quarterly and annual reports of financial and statistical data.
- b) The Administrator shall periodically prescribe a set of standard reporting forms and instructions to be used in filing monthly, quarterly and annual reports.
- c) Annual reports shall be based on a calendar year beginning January 1 and ending December 31. Quarterly reports shall be based on the calendar quarters ending March 31, June 30, and September 30. Monthly reports shall be based on calendar months. Quarterly and monthly reports shall contain a cumulative year-to-date column so as to facilitate analysis.
- d) The reports required to be filed pursuant to this Section shall be sworn to and signed by:
 - 1) If from a corporation:
 - A) Chief Executive Officer; or and either the
 - B) Financial Vice President; or
 - C) Treasurer; or

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D) Controller.

- 2) If from a partnership, by a General Partner or and Financial Director;
- 3) If from a sole proprietorship, by the proprietor; or
- 4) If from any other form of business association, by the Chief Executive Officer.

e) Reports shall be addressed to the Administrator and postmarked no later than the required filing date. The required filing dates are as follows:

- 1) Monthly reports shall be due on the 15th calendar day of the following month;
- 2) Quarterly reports shall be due on the 15th calendar day of the second month following the end of the quarter; and
- 3) Annual reports shall be due on the 15th calendar day of the third month following the end of the year.

f) In the event of a termination or suspension of the Owner's License, voluntary or involuntary change in business entity or material change in ownership, the holder of an Owner's License shall file an interim quarterly report as of the date of occurrence of such event, unless such event has already been disclosed in a regular quarterly report or unless exempted by the Administrator. The filing date shall be thirty (30) calendar days after the date of occurrence of the event.

g) Any adjustments resulting from the quarterly and annual audits required in Section 3000.1130 shall be recorded in the accounting records of the period to which it relates. In the event that the adjustments were not reflected in the holder of an Owner's License's quarterly or annual reports and the Administrator concludes the adjustments are significant, a revised report may be required from the holder of an Owner's License. The revised filing shall be due within thirty (30) calendar days after written notification to the holder of an Owner's License.

- h) Delays in mailing, mail pickups, and postmarking are the responsibility of the holder of an Owner's License.
- (Source: Amended at 16 Ill. Reg. _____, effective _____).

Section 3000.1030 Annual Audits and Other Reporting Requirements

a) The Administrator shall direct an audit to be performed of the financial transactions and conditions of the total operations of a holder of an Owner's License including the Internal Control System required to be submitted in accordance with paragraph c) of Section 3000.320. The procedures set forth below are the minimum procedures that must be performed. Upon written notice by the Administrator, other procedures may be required. In conjunction with the audit, the independent certified public accountant selected by the Administrator shall perform the following procedures:

1) On a quarterly basis:

- A) Evaluate the Internal Control System in order to report on material weaknesses in internal accounting controls. Whenever in the opinion of the independent certified public accountant, there exists no material weaknesses in internal accounting controls, the report shall so state;
- B) Audit the respective quarter's Adjusted Gross Receipts in accordance with generally accepted auditing standards in order to report on the fair presentation of Adjusted Gross Receipts in conformity with generally accepted accounting principles Board Rules;
- C) Observe "unannounced" the transportation and count of each of the following: Electronic Gaming Device Drop, Table Drop, and tip box. For purposes of these procedures, "unannounced" means that no officers, directors or employees of the holder of the Owner's License are given advance information, regarding the dates or times of such observations; and
- D) Review the terms of contractual agreements, both oral and written, on a sample basis,

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with-suppliers in order to report on compliance with the terms of the contractual agreements and to determine that such contracts are not in excess of their fair market value.

with generally accepted accounting principles.

E) Report on any reportable conditions found during the quarterly procedures required by subparagraph (1)(A) - (D) of paragraph (a) of this Section. A reportable condition shall be defined as a significant deficiency in the design or operation of the internal control structure, which would adversely affect the holder of an Owner's License's ability to record, process, summarize, and report financial data consistent with the assertions of management in the financial statements. Reportable conditions that are also material weaknesses shall be identified as such in the report. Nonreportable conditions discovered by the independent certified public accountant shall also be reported.

2) On an annual basis:

A) Evaluate the holder of an Owner's License's Internal Control System in order to report on compliance with the submitted Internal Control System approved by the Administrator. Whenever in the opinion of the independent certified public accountant the holder of an Owner's License has deviated from the submitted Internal Control System approved by the Administrator or the accounts, records, and control procedures examined are not maintained by the holder of the Owner's License in accordance with the Act and these rules, the report shall enumerate such deviations, regardless of materiality, and such areas of the Internal Control System no longer considered effective, and shall make recommendations regarding improvements in the Internal Control System to the Administrator.

B) Audit in accordance with generally accepted auditing standards the financial statements in order to report on the financial statements fair presentation in conformity

C) Report to the Administrator on reportable conditions found during the annual audit of the financial statements. A reportable condition shall be defined as a significant deficiency in the design or operation of the internal control structure, which would adversely affect the holder of an Owner's License's ability to record, process, summarize, and report financial data consistent with the assertions of management in the financial statements. Reportable conditions that are also material weaknesses shall be identified as such in the report. The quarterly reports required by subparagraph (1)(A) of ~~subsection~~ paragraph a) of this Section shall be incorporated into this annual report. Nonreportable conditions discovered by the independent certified public accountant shall also be reported-in-a separate-report.

b) The holder of an Owner's License shall prepare a and send to the Administrator and to the independent certified public accountant a written response to the independent certified public accountant's reports required by subparagraphs (a)(2)(A) and e)(a)(2)(C) of this Section. The response shall indicate in detail the corrective actions taken. Such response shall be incorporated in the independent certified public accountant's reports. These reports shall be incorporated into one report in a format prescribed by the Administrator.

c) Three (3) copies of the reports required by paragraph a) above shall be received by the Board or postmarked, no later than the required filing date.

- 1) Quarterly reports for the first three quarters shall be due not later than ninety (90) calendar days after the last day of the quarter.
- 2) Quarterly reports for the fourth quarter and the annual reports shall be due not later than 120 calendar days after the last day of the calendar or fiscal year.

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- 3) Delays in mailing, mail pickups and postmarking are the responsibility of the holder of an Owner's License.

- d) All of the audits and reports required by this paragraph shall be prepared at the sole expense of the holder of an Owner's License.

(Source: Amended at 16 Ill. Reg. _____, effective _____).

Section 3000.1040 Accounting Controls Within the Cashier's Cage

- a) The assets for which the cashiers are responsible shall be maintained on an imprest basis. At the end of each shift, the cashiers assigned to the outgoing shift shall record on a cashier's count sheet the face value of each cashier's cage inventory item counted and the total of the opening and closing cashier's cage inventories and shall reconcile the total closing inventory to the total opening inventory. The cashiers shall sign the completed cashier's count sheet attesting to the accuracy of the information contained on the cashier's count sheet.

- b) At the conclusion of each day, at a minimum, a copy of the cashier's count sheet and related documentation shall be forwarded to the accounting department for agreement of opening and closing inventories, agreement of amounts thereon to other forms records, and documents required by this Section, and recording of transactions.

- c) All accounting controls within the cashiers cage shall conform with the approved internal control system as required under Section 3000.330.

(Source: Amended at 16 Ill. Reg. _____, effective _____).

Section 3000.1050 Procedures for Exchange of Checks Submitted by Gaming Patrons and Granting Credit

- a) Except as otherwise provided in this Section, no holder of an Owner's License shall ~~cash-any-check~~ make any loan, or otherwise provide or allow to any person any credit or advance of anything of value or which represents value to enable any person to take part in gaming activity. The failure to deposit for collection a negotiable instrument by the next banking day

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following receipt shall be considered an extension of credit.

- b) A holder of an Owner's License may extend credit to a patron ~~under~~ only in the manner(s) provided in its Internal Control System approved by the Administrator.

- c) The Internal Control System shall provide that:

- 1) Each credit transaction is promptly and accurately recorded in appropriate credit records;
- 2) Coupon redemption and other complimentary distribution program transactions are promptly and accurately recorded; and
- 3) Credit may be extended only in a commercially reasonable manner considering the assets, liabilities, prior payment history and income of the patron.

- d) No credit shall be extended beyond thirty (30) days. In the event that a patron has not paid a debt created under this section within thirty (30) days, a holder of an Owner's License shall not further extend credit to the patron while this such debt is outstanding.

- e) A holder of a Owner's License shall be liable as an insurer for all collection activities on the debt of a patron, whether such activities occur in the name of the owner or a third party.

- f) The holder of an Owner's License shall provide to the Administrator a monthly report detailing credit issued and outstanding, collection activities taken and settlements of all disputed checks and disputed credit card charges.

- g) The value of Chips or Tokens issued to a patron upon the extension of credit, the receipt of a check or other instrument or via a complimentary distribution program shall be included in the computation of Gross Receipts.

(Source: Amended at 16 Ill. Reg. _____, effective _____).

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Section 3000.1070 Tips or Gratuities

- a) No Gaming employee shall accept currency as a tip or gratuity from any patron.
- b) No Riverboat Gaming Operation ~~Key Person~~ Key Person ~~employee~~ or, boxperson, floorperson, or any other Riverboat Gaming operation employee who serves in a supervisory position shall ~~seize~~ accept, and ~~no other Riverboat Gaming operation employee shall seize~~, any tip or gratuity from any player or patron of the Riverboat Gaming operation where he is employed. No Riverboat Gaming Operation ~~Key Person~~ or employee shall solicit any such tip or gratuity. The holder of an Owner's License shall not permit any practices prohibited by paragraph (a) of this Section.
- c) All tips and gratuities allowed given to dealers shall be:

- 1) Immediately deposited in a transparent locked box reserved for that purpose. If Non-Value Chips are received at a Roulette table, the marker button indicating their specific value shall not be removed from the slot or receptacle attached to the outer rim of the Roulette wheel until after a dealer in the presence of a supervisor has converted them into Value Chips which are immediately deposited in a transparent locked box reserved for the purpose;
- 2) Accounted for by a recorded count conducted by randomly selected dealer and a randomly selected non-gaming employee ~~of the accounting department;~~
- 3) Placed in a pool for pro rata distribution among the dealers on a basis that coincides with the normal pay period, with the distribution based upon the number of hours each dealer has worked. Tips or gratuities from this pool shall be deposited into the holder of an Owner's License's payroll account. Distributions to dealers from this pool shall be made following the holder of an Owner's License's payroll accounting practices and shall be subject to all applicable state and federal withholding taxes; and
- d) Upon receipt from a patron of a tip or gratuity, a dealer assigned to the Gaming table shall extend his

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arm in an overt motion, and deposit such tip or gratuity in the transparent locked box reserved for such purpose; and.

- e) ~~State and Federal taxes shall be withheld on tips and gratuities received by employees.~~
(Source: Amended at 16 Ill. Reg. _____, effective _____).
Section 3000.1071 Deposits of Admission Tax and Wagering Tax
- a) Each holder of an Owner's License shall, with the ~~consent of the Administrator~~, maintain an account at a designated financial institution capable of handling electronic fund transfers. The holder of an Owner's License shall also maintain on deposit a minimum account balance, sufficient to cover all tax liabilities due under the Act.
- b) Both the Admission and the Wagering Taxes shall be paid via an Electronic Funds Transfer (EFT) system employing an Automated Clearinghouse Debit method (ACH-Debit).
- c) Deposits will be deemed to have been made in a timely manner when the appropriate account number and the required tax payment information is provided to the Administrator, no later than 12:00 p.m. Central Standard Time one (1) calendar day after the close of the business day upon which the liability was established.
- d) Each holder of an Owner's License shall, with the agreement of the Administrator, select a twenty-four (24) hour cycle that shall be defined as the business day for the purpose of establishing the tax liability.
- e) Minimum reporting requirements include daily number of admissions to Gaming excursions, Admission Taxes, daily Gross Receipts, Adjusted Gross Receipts and Wagering Tax and such other information as the Administrator may require. Authorization forms and detailed instructions will be provided by the Administrator.
- f) The Administrator will be responsible for calculating the allocation of the Admission and Wagering Tax between the State and the unit of local government designated as the home dock of the Riverboat. Payments

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will be made quarterly by voucher/warrant, subject to appropriation.

- g) In the event of a discrepancy or variance between records of the holder of an owner's license and tax liability due to the State, the tax liability, absent satisfactory explanation by the holder of an owner's license, shall be calculated by the Administrator on the basis of that record which yields for the State of Illinois the greater tax due.

- gh) The excess of funds in the State Gaming Fund will be determined by the Board based upon the difference between the State Gaming Fund balance and appropriations at the beginning of each fiscal year outstanding obligations plus commitments at the end of each fiscal year. Commitments shall include any outstanding share of admissions and wagering taxes due to the local governments. Funds generated by this Act shall be paid into the Education Assistance Fund by voucher/warrant, subject to appropriation.

(Source: Amended at 16 Ill. Reg. ____, effective ____).

Section 3000.1072 Cash Reserve Requirements

Each holder of an Owner's License shall maintain, in cash or cash equivalents an amount sufficient to protect patrons against defaults in gaming debts owed by the holder of an Owner's License. Cash equivalents are defined as all highly liquid investments with an original maturity of 3 months or less.

(Source: Amended at 16 Ill. Reg. ____, effective ____).

SUBPART K: SEIZURE AND DISCIPLINARY HEARINGS

Section 3000.1100 Coverage of Subpart

The rules contained in this Subpart shall govern all proceedings against a licensee.

(Source: Added at 16 Ill. Reg. ____, effective ____).

Section 3000.1105 Duty to maintain suitability

All Board licensees have a continuing duty to maintain suitability for licensure. A Board license does not create a

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property right, but is a revocable privilege granted by the State contingent upon continuing suitability for licensure.

(Source: Added at 16 Ill. Reg. ____, effective ____).

Section 3000.1110 Board Action Against License or Licensee

When notified of facts sufficient to support the seizure of a gaming device under the Act and Board Rule Section 3000.282 or disciplinary action against a licensee under the Act or Board Rule Section 3000.110, the Board may order the seizure of a gaming device(s) or take disciplinary action against a licensee. If the Board orders the seizure of a gaming device(s) or takes disciplinary action, it shall immediately notify the holder of the seized gaming device(s) of the seizure or the licensee of the disciplinary action taken. Notification shall be by certified mail. Included with such notification shall be a complaint for either seizure or disciplinary action.

(Source: Added at 16 Ill. Reg. ____, effective ____).

Section 3000.1115 Complaint

The complaint shall include a statement of facts supporting the seizure or disciplinary action and the rule or statutory section with violation of which the licensee is being charged. The complaint shall be accompanied by a certificate of service, demonstrating the date of service.

(Source: Added at 16 Ill. Reg. ____, effective ____).

Section 3000.1120 Appearances

- a) A licensee may be represented by an attorney who is licensed in Illinois. All attorneys who appear in a representative capacity on behalf of a licensee must file written notice of appearance setting forth:

- 1) The name, address and telephone number of the attorney(s);
- 2) The name and address of the licensee represented; and
- 3) An affirmative statement indicating that the attorney is licensed in Illinois.

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- b) Only individual attorneys may file appearances. Any attorney who has not filed an appearance may not address the hearing officer or sign pleadings.
- c) A member in good standing of the bar of the highest court of any state or of any United States District Court may, upon motion, be permitted to argue or conduct a hearing in whole or in part.
- d) An attorney may only withdraw his appearance upon written notice to the hearing officer.
- e) A licensee may appear on his own behalf.
- f) A partnership may be represented by a partner.

(Source: Added at 16 Ill. Reg. ____, effective ____).

Section 3000.1125 Answer

a) Service of Answer

Within twenty-one days from the date of service of the complaint, the licensee shall file his answer by serving copies thereof on the Administrator and Chief Legal Counsel at either the Board's Springfield or Cook County office. Service may be made by personal delivery, certified mail, postage prepaid, or overnight express mail. An answer shall be deemed filed on the date on which it is postmarked, or if personally delivered, the date received at the Board's office.

b) Answer shall include:

- 1) An admission or denial of each factual allegation in the statement of facts in the complaint; and
- 2) If the licensee denies any of the factual allegations, a revised statement of the denied factual allegations as he believes them to be true.
- 3) All answers must be verified. Such verification shall be notarized and shall include a certification in the following form:
The undersigned certifies that the statements set forth in this answer are true and correct, except as to matters therein stated to be on information and belief and as to such matters

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the undersigned certifies as aforesaid that he verily believes the same to be true.

(Source: Added at 16 Ill. Reg. ____, effective ____).

Section 3000.1126 Appointment of Hearing Officer

The Chairman of the Board may appoint a Board member or an Administrative Law Judge to conduct a hearing in accordance with this Subpart.

(Source: Added at 16 Ill. Reg. ____, effective ____).

Section 3000.1130 Discovery

- a) Upon written request served on the opposing party, a party shall be entitled to:

1) The name and address of any witness who may be called to testify on behalf of the opposing party; and

2) All documents or other materials in the possession or control of the opposing party, which the opposing party reasonably expects will be necessary to introduce into evidence. The licensee's burden of production includes those documents the licensee reasonably expects to introduce into evidence either in his case-in-chief or in a rebuttal case.

b) Discovery may be obtained only through written requests to produce witness lists documents or other materials, as specified in paragraph a) of this Section. Witnesses and documents responsive to a proper request for production that were not produced shall be excluded from the hearing and additional sanctions or penalties may be imposed.

c) Subpoenas for the attendance of witnesses may be served by the licensee only upon application to the hearing officer.

- 1) The licensee must show good cause, state the testimony to be elicited from a witness, why the evidence to which the testimony relates cannot otherwise be obtained, and state the reasons why the testimony is necessary and relevant.

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- 2) An agent or employee of the Board may not be required to appear except under the procedures provided in this section.

- j) Both parties may present closing argument. The licensee proceeds first, then the Board and thereafter the licensee may present rebuttal argument.

(Source: Added at 16 Ill. Reg. _____, effective _____).

(Source: Added at 16 Ill. Reg. _____, effective _____).

Section 3000.1135 Motions for Summary Disposition

Section 3000.1145 Evidence

The hearing officer may recommend a directed finding or summary judgment upon the filing of an appropriate motion by any party.

- a) The hearing need not be conducted according to technical rules of evidence. Any relevant evidence may be admitted and shall be sufficient in itself to support a finding if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in a civil action.

(Source: Added at 16 Ill. Reg. _____, effective _____).

Section 3000.1140 Proceedings

- a) The licensee bears the burden of rebutting the charges contained in the complaint by clear and convincing evidence.

- b) All testimony shall be given under oath or affirmation.

- c) Both parties may present an opening statement on the merits. The Board proceeds first.

- d) The Board shall then present its case.

- e) Upon conclusion of the Board's case, the licensee may move for a directed finding. The hearing officer may hear arguments on the motion or may grant, deny or reserve decision thereon, without argument.

- f) If no motion for directed finding is made, or if such motion is denied or decision reserved thereon, the licensee may present its case.

- g) Each party may conduct cross-examination of adverse witnesses.

- h) Upon conclusion of the licensee's case, the Board may present evidence in rebuttal.

- i) If the Board presents rebuttal evidence, the licensee may present additional, non-cumulative, evidence in surrebuttal.

- 1) If relevant, official Illinois Gaming Board records or certified copies thereof, shall be admissible into evidence if such records tend to prove or disprove an allegation contained in the complaint.

- 2) Official Illinois Gaming Board records are documents either prepared by or provided to the Board for the purpose of conducting its regular business.

- b) The parties should, to the fullest extent possible, stipulate to all matters which are not or fairly should not be in dispute.

- c) The parties may make objections to evidentiary offers. When an objection is made, the hearing officer may receive the disputed evidence subject to a ruling at a later time.

- d) The hearing officer may take official notice of any generally accepted information or technical or scientific matter within the field of gaming, and any other fact which may be judicially noticed by courts of this state. The parties shall be informed of any information, matter or facts so noticed, including any staff memoranda or data, and shall be given reasonable opportunity to refute such information.

(Source: Added at 16 Ill. Reg. _____, effective _____).

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Section 3000.1146 Prohibition of Ex Parte Communication

No party or its representative shall communicate directly or indirectly with the hearing officer regarding any pending matter, except upon notice to and opportunity for all parties to participate.

(Source: Added at 16 Ill. Reg. _____, effective _____).

Section 3000.1150 Sanctions and Penalties

a) The hearing officer may impose sanctions and penalties if the hearing officer finds that a party has acted in bad faith, for the purpose of delay, or has otherwise abused the hearing process. Such sanctions and penalties include but are not limited to default judgment or directed finding on one or more issues.

b) If a licensee fails to testify on his own behalf with respect to any question propounded to him, the hearing officer may infer therefrom that such testimony or answer would have been adverse to the licensee's case.

c) Failure of a licensee to appear at a hearing shall constitute an admission of all matters and facts contained in the complaint. In such cases the hearing officer may take action based upon such admission or upon any other evidence, including affidavits, without any further notice to the licensee.

(Source: Added at 16 Ill. Reg. _____, effective _____).

Section 3000.1155 Transmittal of Record and Recommendation to the Board

a) The record shall consist of the following:

- 1) The Complaint, the Answer and all motions and rulings thereon;
- 2) All evidence received;
- 3) A statement of matters officially noticed;
- 4) Offers of proof, objections and rulings thereon;

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5) The recommendations and any findings of fact and conclusions of law made by the hearing officer.

b) Oral proceedings or any part thereof involving contested issues shall be recorded stenographically or by such other means as to adequately insure the preservation of such testimony or oral proceedings and shall be transcribed on request of any party. Said transcript shall be paid for by the requesting party.

c) Upon conclusion of the hearing, the hearing officer shall issue to the Board and the licensee written findings of fact and conclusions of law and his recommendation as to seizure or disciplinary action. Findings of fact shall be based exclusively on the evidence and on matters officially noticed.

d) Final Board Order

1) The Board shall review the entire record and shall render a written order including the bases for its decision.

2) Copies of the final Board order shall be served on a licensee by personal delivery, certified mail or overnight express mail.

3) A final Board order shall become effective upon personal delivery to a party or upon posting by certified or overnight express mail.

(Source: Added at 16 Ill. Reg. _____, effective _____).

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- 1) Heading of the Part: Procedures and Standards
2) Code Citation: 92 Ill. Adm. Code 1001

3) Section Numbers: Proposed Action:

1001.10 Amendment
1001.20 Amendment
1001.100 Amendment
1001.110 Amendment
1001.220 Amendment
1001.300 Amendment
1001.310 Amendment
1001.320 Amendment
1001.330 Amendment
1001.340 Amendment
1001.350 Amendment
1001.360 Amendment
1001.400 Amendment
1001.410 Amendment
1001.420 Amendment
1001.430 Amendment
1001.440 Amendment
1001.450 Amendment
1001.460 Amendment
1001.470 Amendment
1001.485 Amendment

- 4) Statutory Authority: Subpart A implementing Sections 2-113, 2-118, 6-205, 6-206, and 6-108 and authorized by Sections 2-103; and 2-104 of the Illinois Vehicle Code (Ill. Rev. Stat. 1991, ch. 95½, pars. 2-103, 2-104, 2-106, 2-107, 2-108, 2-113, 2-114, 2-118). Subpart B implementing Chapter 7 and authorized by Sections 2-103, 2-104, 2-106, 2-107, 2-108, 2-113, 2-114, and 7-101 of the Illinois Vehicle Code (Ill. Rev. Stat. 1991, ch. 95½, pars. 2-103, 2-104, 2-106, 2-107, 2-108, 2-113, and 7-101). Subpart C implementing Sections 6-205(c) and 6-206(c)3 and authorized by Sections 2-103 and 2-104 of Chapter 95½ of the Illinois Vehicle Code (Ill. Rev. Stat. 1991, ch. 95½, pars. 2-103, 2-104, 6-205(c), and 6-206(c)3). Subpart D authorized by Section 2-104 of the Illinois Vehicle Code and implementing Sections 6-103, 6-205(c), 6-206(c)3, and 6-208 of the Illinois Vehicle Code (Ill. Rev. Stat. 1991, ch. 95½, pars. 2-104, 6-103, 6-205(c), 6-206(c)3, and 6-208).

- 5) A Complete Description of the Subjects and Issues Involved: These amendments achieve the following objectives: Bring the Secretary of State rules regarding hearings to obtain driving privileges in alcohol related cases into compliance with the recently amended DASA rules as they affect classification levels and treatment requirements; make grammatical, organizational and other non substantive changes; provide hearings by mail for former

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residents seeking reinstatement of driving privileges; clarify when an informal hearing may be had; codify the current procedure of handling cases where the current loss of driving privileges is not related to a DUI arrest/disposition yet alcohol/drugs may be at issue.

- 6) Will this proposed amendment replace an emergency rule currently in effect?
Yes
7) Does this rulemaking contain an automatic repeal date? No
8) Does this proposes amendment contain incorporations by reference? No
9) Are there any other proposed amendments pending on this Part? No
10) Statement of Statewide Policy Objectives: These proposed amendments will not require a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.
11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to comment on these proposed amendments may submit written comments no later than 45 days after the publication of this Notice to:

Jay L. Mesi, Senior Legal Advisor
Secretary of State
Department of Administrative Hearings
Room 200, Michael J. Howlett Building
Springfield, Illinois 62756

- 12) Initial Regulatory Flexibility Analysis: The Office has determined that these amendments will not affect small businesses.

The full text of the Proposed Amendments begins on the next page:

SECRETARY OF STATE

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TITLE 92: TRANSPORTATION
CHAPTER II: SECRETARY OF STATE

PART 1001

PROCEDURES AND STANDARDS

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1001.10	Applicability
1001.20	Definitions
1001.30	Right to Counsel
1001.40	Appearance of Attorney
1001.50	Special Appearance
1001.60	Substitution of Parties
1001.70	Commencement of Actions; Notice of Hearing
1001.80	Motions
1001.90	Form of Papers
1001.100	Conduct of Formal Hearings
1001.110	Orders
1001.120	Record of Hearings
1001.130	Invalidity

SUBPART B: ILLINOIS SAFETY RESPONSIBILITY HEARINGS

Section	
1001.200	Applicability
1001.210	Definitions
1001.220	Hearings: Notice; Location; Procedures; Record
1001.230	Rules of Evidence
1001.240	Scope of Hearings
1001.250	Decisions and Orders
1001.260	Rehearings
1001.270	Judicial Review
1001.280	Invalidity

SUBPART C: RULES ON THE CONDUCT OF INFORMAL HEARINGS
IN DRIVERS LICENSE SUSPENSIONS AND REVOCATIONS

Section	
1001.300	Applicability
1001.310	Definitions
1001.320	Right to Representation
1001.330	Records and Reports
1001.340	Location of Hearings
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SUBPART D: STANDARDS FOR THE GRANTING OF RESTRICTED DRIVING PERMITS,
REINSTATEMENT, AND THE TERMINATION OF CANCELLATIONS OF
DRIVING PRIVILEGES BY THE OFFICE OF THE SECRETARY OF STATE

Section	
1001.400	Applicability
1001.410	Definitions
1001.420	General Provisions Relating to the Issuance of Restricted Driving Permits
1001.430	General Provisions for Reinstatement of Driving Privileges after Revocation
1001.440	Provisions for Alcohol and Drug Related Revocations, Suspensions, and Cancellations; and Penalties Pursuant to Sections 6-205(a)2, 6-205(d), 6-206(a)1, 6-206(a)6, 6-206(a)17, 6-206(a)17, 6-206(a)24, 6-206(a)31, 6-201, 6-203, 6-203.1 and 11-501.1
1001.450	New Hearings
1001.460	Requests for Modification of Revocations and Suspensions
1001.470	Renewal, Correction and Cancellation of RDP's
1001.480	Unsatisfied Judgement Suspensions
1001.485	Reinstatement Application Based Upon Issuance of Drivers License in a State Which is a Member of the Driver License Compact
1001.490	Invalidity

AUTHORITY: Subpart A implementing Sections 2-113, 2-118, 6-205, 6-206, and 6-108 and authorized by Sections 2-103; and 2-104 of the Illinois Vehicle Code (Ill. Rev. Stat. 1989 1991, ch. 95½, pars. 2-103, 2-104, 2-106, 2-107, 2-108, 2-113, 2-114, 2-118). Subpart B implementing Chapter 7 and authorized by Sections 2-103, 2-104, 2-106, 2-107, 2-108, 2-113, 2-114, and 7-101 of the Illinois Vehicle Code (Ill. Rev. Stat. 1989 1991, ch. 95½, pars. 2-103, 2-104, 2-106, 2-107, 2-108, 2-113, 2-114, and 7-101). Subpart C implementing Sections 6-205(c) and 6-206(c)3 and authorized by Sections 2-103 and 2-104 of Chapter 95½ of the Illinois Vehicle Code (Ill. Rev. Stat. 1989 1991, ch. 95½, pars. 2-103, 2-104, 6-205(c), and 6-206(c)3). Subpart D authorized by Section 2-104 of the Illinois Vehicle Code and implementing Sections 6-103, 6-205(c), 6-206(c)3, and 6-208 of the Illinois Vehicle Code (Ill. Rev. Stat. 1989 1991, ch. 95½, pars. 2-104, 6-103, 6-205(c), 6-206(c)3, and 6-208).

SOURCE: Adopted and codified at 7 Ill. Reg. 7501, effective June 17, 1983; amended at 8 Ill. Reg. 4220, effective April 1, 1984; emergency amendment at 9 Ill. Reg. 17030, effective October 18, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 4558, effective March 18, 1986; amended at 11 Ill. Reg. 17844, effective October 15, 1987; amended at 13 Ill. Reg. 15803 effective October 1, 1989, amended at 14 Ill. Reg. 2601 effective February 15, 1990; amended at 14 Ill. Reg. 16041, effective October 1, 1990; amended at 16 Ill. Reg. _____, effective _____.

NOTE: Capitalization denotes Statutory language.

SUBPART A: FORMAL ADMINISTRATIVE HEARINGS

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Section 1001.10 Applicability

This Subpart shall apply to all Formal hearings conducted pursuant to the Illinois Vehicle Code under the jurisdiction of the Office by the Department, except for hearings conducted pursuant to Chapter 7 of the Illinois Vehicle Code. (Ill. Rev. Stat. 1985, ch 95½, pars. 700 et seq.).

(Source: Amended at ___ Ill. Reg. ___, effective ___)

Section 1001.20 Definitions

"Contested case" means any adjudicatory proceeding conducted by the Office in which the legal rights, privileges, immunities, duties, or obligations of any person or party are required by law or regulation to be determined by the Secretary of State after an opportunity for a hearing.

"Department" means the Department of Administrative Hearings of the Office of the Secretary of State of Illinois.

"Director" means the Director or Acting Director of the Department.

"Formal Hearing" means any hearing authorized to be held to resolve a contested case in the Department by the Illinois Vehicle Code or any and all other applicable statutes at any time in force in the State of Illinois.

"Hearing Officer" means any person designated by the Secretary of State to preside at any hearing conducted pursuant to these Rules.

"Office" refers to the Office of the Secretary of State and not to any particular department, address, or location.

"Party" means any person named or admitted as a participant in any hearing conducted pursuant to these rules, including the Office and Department.

"Person" includes any individual, corporation, partnership, association, or firm legally capable of either seeking the action of the Office or being the subject to said action.

"Applicant" -or "Petitioner" is the party who by written request seeks or applies for any relief from the Office under the provisions of the Illinois Vehicle Code, or otherwise from any rule, regulation, order, or determination of the Office.

"Respondent" means a person against whom a complaint or petition is filed, or who, by reason of interest in the subject matter of a petition or application or the relief sought therein, is made a

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Respondent or to whom an order or complaint is directed by the Department initiating a proceeding.

(Source: Amended at ___ Ill. Reg. ___, effective ___)

Section 1001.100 Conduct of Formal Hearings

- a) All hearings conducted in any proceeding shall be open to the public. Pursuant to statute, Formal Hearings shall be conducted in Springfield, Chicago, Hillside or Mt. Vernon.

In petitions for driving relief, Petitioners who have permanently relocated outside of the State of Illinois and Petitioners who are still residents but are outside the State of Illinois for 90 days 3 months or more due to employment reasons (e.g., military service) may make written application in lieu of returning to Illinois for an informal hearing. Such application Petitioner shall be deemed to have waived his/her the right to appearance in person. Out-of-state Petitioners must initially submit evidence of their residency, such as, but not limited to voter's registration, income tax returns, apartment rental leases, mortgage contracts, employment verification, utility and/or telephone bills, etc. The department reserves the discretion to reject out-of-state petitions which fail to provide this evidence or establish residency. The department also reserves the discretion to reject an out-of-state petition if there is evidence that the Petitioner is maintaining substantial contact with the state of Illinois and, therefore, is capable of attending a hearing in person.

Except as provided in Section 1001.440(m), Out-of-state applicants Petitioners must submit at a minimum all documentation and information required by Subpart D herein, as well as a sworn, out-of-State Petitioner's Affidavit, which provides the information otherwise required by the Illinois Secretary of State (the Secretary) at a Formal Hearing. Out-of-state Petitioners who reside within 30 miles of the Illinois border shall be required to attend a hearing in person, unless the Petitioner shows good cause for not being able to attend in person. Good cause is shown when it is demonstrated through a written statement that the Petitioner cannot attend a Formal hearing in person due to economic, physical, or medical reasons. Mere inconvenience does not constitute good cause.

- b) Every hearing shall be presided over by a Hearing Officer duly appointed by the Secretary. The Secretary shall may also appoint a representative to appear and participate in said hearing on his/her behalf. Prior to the taking of evidence, the Petitioner/Respondent may request disqualification of the Hearing Officer by making a motion on the record for same, stating the specific grounds upon which it is alleged that a fair and impartial hearing cannot be

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afforded the Petitioner/Respondent by the Hearing Officer. The Hearing Officer will rule upon the motion. If the motion is denied, the hearing will proceed, or the Petitioner may withdraw from the hearing. If the motion is granted, the case shall be transferred to another Hearing Officer for a hearing on the same day if possible. If it is not possible to schedule a hearing on the same day, a new hearing date shall be scheduled and a new Hearing Officer shall be assigned by the Secretary. The Hearing Officer shall have authority to conduct the hearing, to rule on all motions, to administer oaths, to subpoena witnesses or documents at the request of any party, to examine witnesses, and to rule upon the admissibility of testimony and evidence.

nc) Upon order of the Hearing Officer, for good cause shown, and upon reasonable notice to other parties, any party, including the Department, may cause at his or its expense a deposition of any witness to be taken for use as evidence in a contested case (for example, when the witness is not available due to distance, time, cost to the party using the testimony, sickness, infirmity, imprisonment, the witness being out of state or similar factors). The deposition shall be taken in the manner provided by law for evidence depositions in civil actions in the Circuit Courts of Illinois. Any party may direct written interrogatories to any other party. Interrogatories must be restricted to the subject matter of the case, to avoid undue detail, and to avoid the imposition of any unnecessary burden or expense on the answering party. Written interrogatories shall be served on the opposing party no later than fifteen (15) business days before the hearing. Objection to answers or refusals to answer shall be heard on motion at the hearing before the Hearing Officer who shall rule on the objection or refusal. Answers shall be sworn. If an answer to an interrogatory may be obtained from documents in the possession or control of the party on whom the interrogatories were served, it shall be a sufficient answer to specify the documents and make them available to the inquiring party to inspect and copy at the asking party's expense.

ed) The technical rules of evidence shall not apply. Any relevant evidence may be admitted if it is the sort of evidence relied upon by reasonably prudent people in the conduct of their affairs. The existence of any common law or statutory exclusionary rule which might make improper the admission of such evidence over objections in civil or criminal actions shall not be a bar to the admissibility of otherwise relevant evidence. The rules of privilege shall be followed to the same extent that they are now or hereafter may be recognized in civil actions. Irrelevant, immaterial or unduly repetitious evidence may be excluded upon objection. Objections to evidentiary offers may be made and shall be noted in the record, and ruled upon by the Hearing Officer. Any party may make an offer of proof following an adverse evidentiary ruling. Subject to these

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requirements, when a hearing will be expedited and the interests of the parties will not be prejudiced, any part of the evidence may be received in written form. Subject to the evidentiary requirements of this subsection, a party may conduct cross-examination required for a full and fair disclosure of the facts.

d) Official notice may be taken of past hearings and any matter of which the Circuit Courts of Illinois may take judicial notice. In addition, official notice may be taken of generally recognized technical or scientific facts within the agency's specialized knowledge. Parties shall be notified either before or during the hearing, or by reference in preliminary reports or otherwise, of the material noticed, including staff memoranda and data, and they shall be afforded an opportunity to contest the material so noticed. The Department's and the Hearing Officer's experience, technical competence and specialized knowledge may be utilized in the evaluation of the evidence.

ee) At the request of any party or upon his own motion, the Hearing Officer may call a prehearing conference. At the conference, the parties, or their representatives shall appear as the Hearing Officer directs. Matters which may be considered at a prehearing conference include, but are not limited to:

- 1) The simplification of the issues;
- 2) Amendments to the grounds for action;
- 3) The possibility of obtaining admissions and stipulations of fact and of documents which will avoid unnecessary proof;
- 4) The limitation of the number of expert witnesses;
- 5) Any other matters which may aid in the disposition of the contested case.

pf) Upon the conclusion of a prehearing conference, the Hearing Officer shall enter an order which recites any action taken, any agreements made by the parties as to any of the matters considered, and the issue to be heard.

eg) Upon written request, made at least ten (10) business days prior to the hearing, a party shall furnish to other parties a list of the names and addresses of prospective witnesses, or furnish written answers to a written demand for a bill or particulars.

fh) Any party or his representative shall have the right, upon written motion made at least ten (10) business days prior to the hearing, to inspect any relevant documents in the possession of or under the

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control of any other party and to interview parties or persons having knowledge of relevant facts, subject to any statutory or constitutional privileges. Interviews of persons and inspection of documents shall be at times and places reasonable for the persons and for the custodian of the document.

- gi) Oral evidence shall be taken only on oath or affirmation.
- hj) Parties may agree by stipulation upon any facts involved in the hearing. The facts stipulated shall be considered as evidence in the hearing.
- ik) Each party shall have the right to request the subpoena of and to call and to examine witnesses; to introduce exhibits and to cross-examine witnesses on any matter relevant to the issues, even though that matter was not covered in the direct examination. Applications to the Hearing Officer assigned to the case for subpoenas duces tecum shall specify the books, papers, and documents desired to be produced.

m) Each party shall have the right to rebut the evidence against him; to appear in person; to be represented by counsel. If a party does not testify in his own behalf, he may be called by the Secretary of State's representative and examined as if under cross-examination.

tl) A request to continue or withdraw a hearing request is directed to the sound discretion of the Hearing Officer to whom the case has been assigned for hearing. Either request may be granted, for good cause shown, provided the request is received by the Department not less than five (5) days prior to the hearing date unless good cause is shown within the five days or during the hearing due to the need for new evidence, sudden unavailability of counsel, sudden illness of a party, or similar reasons. Such request prior to the hearing shall be in writing and shall set forth the grounds alleged therefor. "Good cause" is shown when a Petitioner or Respondent demonstrates a real and compelling need for additional time. "A real and compelling need" includes, but is not limited to, service in the armed forces, serious illness, family death, or act of God, relating to either party or that party's attorney. No request by any attorney on behalf of a Petitioner/Respondent will be considered unless the attorney shall have filed a written notice of appearance as provided in Section 1001.40.

u) 1) NoA Fformal Hhearing shall not be continued "generally". A continuance, when granted, shall state a date certain, not more than sixty (60) days from the prior hearing date at which time the hearing shall reconvene. Repeated continuances will not be granted. If the Petitioner is not prepared to go forward after the first continuance a request to withdraw should be

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submitted.

w) 2 The party requesting the hearing may request withdrawal from the hearing at any time up to the conclusion of the taking of evidence. A request to withdraw from a hearing which in the Hearing Officer's judgment is based upon surprise of evidence presented or adverse evidence shall not be granted. Upon withdrawal, the requested relief will not be considered and the case dismissed. Should the party request another hearing, it must be done in writing and it will be treated as any other request for hearing. (See Section 1001.70).

jm) A party may serve on any other party a written request for the admission by the latter of the truth of any specified relevant fact set forth in the request or for the admission of genuineness of any relevant documents described in the request. Copies of the documents shall be served with the request unless copies have already been furnished.

kn) Upon the opening of the hearing, the Hearing Officer shall allow the parties to make opening statements. Opening statements may not be made at any other time, except in the discretion of the Hearing Officer. Upon the closing of the hearing each party may make a closing statement orally and/or by written brief at the discretion of the Hearing Officer, incorporating arguments of fact and law. A written brief may be required when the facts and issues are deemed complicated by the Hearing Officer, and there is a need for the parties to plead their cases in writing for the record.

ro) All exhibits for any party shall be clearly marked for identification and as admitted into evidence by the Hearing Officer.

tp) In the hearing of any case, any party or his agent may be called and examined as if under cross-examination at the instance of any adverse party. A party calling for the examination is not bound thereby, but may rebut the testimony thus given and may impeach the witness by proof of prior inconsistent statements. If the Hearing Officer determines that a witness is hostile or unwilling, the witness may be examined by the party calling him as if under cross-examination. The party calling an occurrence witness may, upon showing that he called the witness in good faith but is surprised by his testimony, impeach the witness by proof of prior inconsistent statements.

q) The burden of proof is upon the Appellant Petitioner for any relief in a hearing. The standard of proof is the preponderance of the evidence unless otherwise except as provided for in Subpart D.

vi) The Secretary will provide an interpreter for hearing impaired

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Petitioners/Respondents who wish to testify; providing a language interpreter, however, is the responsibility of the Petitioner/Respondent.

s) Report of Proceedings.

1) The Department shall, at its expense, have present at each hearing, an electronic recording device or a qualified court reporter, for the purpose of making a permanent and complete report of the proceedings, to-wit: evidence admitted or tendered and not admitted, testimony, offer of proof, objections, remarks of Hearing Officer and of parties and/or their representatives, all rulings of Hearing Officers.

2) Upon request and at his own expense any party may have a copy of said report of proceedings, from said court reporter, or transcribed from the electronic device by the Department at the statutory rate as set forth in Section 10 of "AN ACT concerning fee and salaries, and to classify the several counties of this state with reference thereto" (Ill. Rev. Stat. 1987, ch. 53, par. 24) and 2 Ill. Adm. Code 551.150, or the cost of an audio tape plus mailing.

(Source: Amended at ___ Ill. Reg. ____, effective ____)

Section 1001.110 Orders

a) The Department shall prepare a written order for all final determinations, which shall include the Findings of Fact, Conclusions of Law, Recommendations of the Hearing Officer, and the Order of the Secretary.

b) The Hearing Officer shall prepare the Findings of Fact, Conclusions of Law, and Recommendations to the Secretary. The Findings of Fact and Conclusions of Law must be stated separately.

c) The Order of the Secretary of State shall be the decision of the Office upon the application for relief.

d) The Department shall notify all parties and their agents personally or by mail of the Findings of Fact, Conclusions of Law, Recommendations, and the Order within the statutory time limit but in no case more than 180 days of the date of the hearing's conclusion.

e) An Order of Default shall be entered against a Petitioner or Respondent, who fails to appear for a hearing at the scheduled time and has failed to request or been granted a continuance in accordance with Section 1001.100(t) and (u).

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f) Orders resulting from Formal Hearings are final administrative orders within the meaning of the Administrative Review Law. (Ill. Rev. Stat. 1987, ch. 110, pars. 3-101 et seq.)

(Source: Amended at ___ Ill. Reg. ____, effective ____)

SUBPART B: ILLINOIS SAFETY RESPONSIBILITY HEARINGS

Section 1001.220 Hearings: Notice; Location; Procedures; Record

a) Subsequent to certification of an uninsured motorist by the Department of Transportation as provided by statute, and upon a preliminary finding that a REASONABLE POSSIBILITY OF A CIVIL JUDGEMENT exists, the Secretary shall institute a Notice of Suspension which advises the Petitioner of his/her right to a hearing in lieu of a deposit of security. Any Petitioner by submitting a written request post-marked within 15 days of the mailing date of the Notice of Suspension, will be afforded a full, fair and impartial hearing to contest the preliminary finding of the Secretary. Any such request will stay the effective date of the safety responsibility suspension pending the outcome of the hearing. Hearing requests received within six months after the prescribed time 15 day period will be granted; however, the suspension will not be stayed or removed pending the hearing. Any Petitioner not requesting a hearing within six months of the mailing date of either a Notice of Suspension; or of a letter from the Secretary of State, sent in lieu of a Notice of Suspension, accepting compliance and notifying the Petitioner of the right to a hearing, shall be deemed to have waived the right to a hearing; and no such request shall be granted.

b) The decision resulting from the hearing shall be based upon the following factors: whether said Petitioner, as a motor vehicle owner or operator, has been involved or whose vehicle has been involved in a motor vehicle accident occurring within the State of Illinois and which has resulted in bodily injury or death of any person or in which damage to the property of any one person exceeds the amount provided by statute; whether Petitioner is exempt from the Safety Responsibility Law and whether there exists a reasonable possibility of a civil judgment against the Petitioner. The Petitioner shall bear the burden of proof throughout the proceedings. The standard of proof shall be a preponderance of the evidence.

c) The hearing shall be initiated by the issuance of a Notice of Hearing by the Secretary. Said notice shall be served upon the Petitioner, as the party against whom action may be taken by the Secretary, any interested party, and any attorney of record.

d) The Notice of Hearing shall be a written statement setting forth, but not limited to the following information; to wit:

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- 1) The name of the Petitioner;
- 2) The name and address of any claimants or injured parties;
- 3) The date, time, place, and nature of the hearing;
- 4) The matters to be addressed at the hearing;
- 5) The name of the Hearing Officer;
- 6) The specific sections of the Statutes involved; and
- 7) The statutory authority pursuant to which the hearing is being conducted.
- 8) Advise the Petitioner that a failure to appear will result in the denial of any relief requested and that at any rehearing granted under Section 1001.260 the Petitioner will be deemed to have waived the right to subpoena, or cross-examine witnesses that testified at the original hearing.
- e) Hearings shall be conducted in the Counties of Cook, DeKalb, Will, Rock Island, Tazewell, Adams, Sangamon, Champaign, Coles, Kane, Marion, St. Clair, Jackson, and in such other locations as the Secretary shall from time to time designate. If the Secretary determines to abandon or change the location of the hearing outside the counties where any one of the thirteen (13) original hearings locations are situated, which are located in the counties listed in the previous sentence, the Secretary shall publish in a local newspaper of general circulation in each county served by such office, twenty days prior notice thereof. The notice shall indicate the reasons for such determination and shall identify the new location proposed to serve each county, if known at the time of publication.

f) Every hearing shall be presided over by a Hearing Officer duly appointed by the Secretary. The Secretary shall may also appoint a representative to appear and participate in his behalf. Prior to the taking of evidence, a Petitioner may request the disqualification of the Hearing Officer by making a motion for same, stating the specific grounds upon which it is alleged that a fair and impartial hearing cannot be afforded the Petitioner by the Hearing Officer. The Hearing Officer will rule upon the motion. ~~and the motion shall be granted if the Hearing Officer previously heard the case; or is personally acquainted with the parties.~~ If the motion is denied, the hearing will proceed. If the motion is granted, the case shall be transferred to another Hearing Officer for a same day hearing if possible. If not possible, a new hearing date will be established and a new another Hearing Officer shall be assigned by

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- the Secretary. The Hearing Officer shall have authority to conduct the hearing, to rule on all motions, to administer oaths, to subpoena witnesses or documents at the request of any party, to examine witnesses, and to rule upon the admissibility of testimony and evidence.
- g) Each party to the hearing shall have the following rights:
 - 1) The right to the issuance of subpoenas upon a ten (10) business day written request directed to the Hearing Officer;
 - 2) The right to call and examine witnesses;
 - 3) The right to cross-examine witnesses on any matter relevant to the issues, even though the matter was not covered on direct examination;
 - 4) The right to introduce exhibits; and
 - 5) The right to obtain in advance, upon written request, copies of all related police reports not designated confidential by State Law. Such requests must be submitted at least 10 business days prior to the hearing date to be considered. The parties may request copies of the related police reports at the hearing if the need for such copies could not be foreseen before the hearing, or the need for them arose because of issues or allegations adduced at the hearing.
 - h) The Petitioner shall have the right to appear in person and be heard through an attorney at law licensed to practice in the State of Illinois or any law student licensed under Supreme Court Rule 711. If the Petitioner does not testify on his own behalf, he may be called by the representative of the Secretary and examined as if under cross-examination.
 - 1) Attorneys admitted to practice in states other than the State of Illinois may appear by special leave of the Hearing Officer appointed to conduct the hearing, upon the attorney's verbal representation or written documentation as to the attorney's admittance.
 - 2) A natural person may appear and be heard in his own behalf.
 - 3) A corporation, association, or partnership may appear and present evidence by any bona fide officer, employee, or representative.
 - 4) Only an attorney mentioned above, properly licensed shall represent anyone else in any hearing in any matter involving

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the exercise of legal skill or knowledge. The standards of conduct shall be the same as before the Courts of the State of Illinois.

- i) The proceedings shall be recorded by a suitable electronic method. The Petitioner may furnish, at his own expense, a certified shorthand reporter. All records taken pursuant hereto shall be properly cataloged and preserved by the Secretary for a period of at least forty-five (45) days from the entry of the Hearing Officer's order. Oral proceedings, or any part thereof, shall be transcribed upon request of the Petitioner, any party, or their counsel at said requesting party's personal expense as specified in 2 Ill. Adm. Code 551.150, or the cost of an audio tape, plus mailing.

- j) The record of a hearing held pursuant hereto shall include, but not be limited to, the following, to wit:

- 1) The notices, pleadings, and responses thereto;
- 2) The motions and rulings thereon;
- 3) The matters officially noticed;
- 4) The offers of proof made, objections thereon, and rulings thereon;
- 5) The opinions, recommendations, or reports by the Hearing Officer, Secretary, or Department; and
- 6) A transcript of the proceedings.

- k) The Secretary will provide an interpreter for hearing impaired Petitioners and Interested Parties who wish to testify; providing a language interpreter, however, is the responsibility of the Petitioner or Interested Parties.

(Source: Amended at ___ Ill. Reg. _____, effective _____)

SUBPART C: RULES ON THE CONDUCT OF INFORMAL HEARINGS IN DRIVERS LICENSE SUSPENSIONS AND REVOCATIONS

Section 1001.300 Applicability

This Subpart applies to Informal Hearings conducted by Driver License Hearing Officers in the Department of Administrative Hearings of the Office of the Secretary of State in various locations throughout Illinois. These Informal Hearings are limited to the consideration of and the making of recommendations on drivers license suspension and revocation matters and the recommendations may include any recommendation able to be made by a Formal

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Hearing, except that an Informal Hearing shall not consider petitions in cases involving: death; rescission or modification of suspensions or revocations; multiple convictions pursuant to Section 11-501 of the Code; multiple violations pursuant to Section 11-501.1 of the Code; or similar provisions of local ordinances or out-of-state violations, or any combination thereof arising from separate incidents. and -felony convictions other than those enumerated in Section 6-295(a)(3); 6-295(a)(7); and 6-296(a)(28) of the Code. They are a lower level hearing than the Formal Hearings conducted pursuant to Subpart A of this Part. There is no appeal from an Informal Hearing to a Formal Hearing because the Formal Hearing is an original proceeding conducted on the evidence.

(Source: Amended at ___ Ill. Reg. _____, effective _____)

Section 1001.310 Definitions

"Department" means the Department of Administrative Hearings of the Office of the Secretary of State.

"Director" means the Director or Acting Director of the Department of Administrative Hearings.

"Headquarters" means the main location of the Hearing Officer in each region as specified in Section 1001.340(c).

"Hearing Officer" means the Driver's License Hearing Officer.

"Informal Hearing" means a hearing which is conducted without the formal procedures of Subpart A, is subject to the conditions described in Sections 1001.300 and 1001.360 of this Subpart and is conducted in designated facilities throughout Illinois.

"Informal Hearings Division" means the division of the Department of Administrative Hearings which is responsible for the operation and administration of Informal Hearings.

"Facility" means a Drivers License station operated by the Department of Drivers Services of the Office of the Secretary of State.

"Office" means the Office of the Secretary of State and not any particular department, address or location.

"Person" means an individual who seeks relief or action from the Office on his/her drivers license suspension or revocation.

"Applicant or Petitioner" means the person who seeks relief from the suspension or revocation of his/her driving privileges pursuant to the provisions of the Illinois Vehicle Code.

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"Region" means a group of counties within which a Drivers License Hearing Officer conducts Informal Hearings.

"Supervisor" means the administrator of the Informal Hearings Division.

"Work Locations" means another facility within a region at which a Hearing Officer conducts Informal Hearings but is not the headquarters.

(Source: Amended at ___ Ill. Reg. ____, effective ____)

Section 1001.320 Right to Representation

Any Applicant Petitioner may represent himself or herself at an Informal Hearing, or may be represented by an attorney licensed to practice law in Illinois, or in another state who is specifically permitted by the Hearing Officer to represent an Applicant Petitioner at the Informal Hearing, upon the attorney's verbal representations or written documentation as to the attorney's admittance or any law student licensed under Supreme Court Rule 711. An Applicant Petitioner may be assisted by a non-lawyer if the Applicant Petitioner is representing himself or herself.

(Source: Amended at ___ Ill. Reg. ____, effective ____)

Section 1001.330 Records and Reports

a) The Hearing Officer will record all proceedings on a form prescribed and supplied by the Director. The form will include, but not be limited to, identification information about the Applicant: Petitioner, a narrative from the Applicant Petitioner concerning his/her driving record and need for relief, the type of relief sought, the violations for which the Applicant Petitioner was suspended or revoked, and the Hearing Officer's recommendation. The recommendations of the Hearing Officer shall be based upon the evidence, the driving record of the Applicant, Petitioner, the Illinois Vehicle Code, these rules, and any other relevant factor.

b) The Applicant Petitioner may submit any relevant and probative documentary or testimonial evidence the Applicant Petitioner wishes to have considered by the Hearing Officer and the Department.

c) The report and evidence from the Hearing Officer shall be a public record, and copies may be purchased for the statutory fee for copies of state records.

(Source: Amended at ___ Ill. Reg. ____, effective ____)

Section 1001.340 Location of Hearings

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- a) There shall be at least one Hearing Officer in each region.
- b) The headquarters of each region shall be in the facility located in that city, and a work location may also be established by the supervisor for one or more Hearing Officers within a region.
- c) The regions and headquarters are:
 - 1) Region 1, consisting of the counties of Jo Daviess, Stephenson, Winnebago, Boone, DeKalb, Lee, Ogle, Whiteside, and Carroll, with headquarters in Rockford.
 - 2) Region 2, consisting of the counties of Rock Island, Henry, Mercer, Knox, Warren, and Henderson with headquarters in the City of Moline.
 - 3) Region 3, consisting of the counties of Kendall, Will, Grundy, Kankakee, and Livingston, with headquarters in Joliet.
 - 4) Region 4, consisting of the counties of Fulton, Stark, Peoria, Woodford, and Tazewell, with headquarters in the City of Peoria.
 - 5) Region 5, consisting of the counties of Iroquois, Ford, Vermilion, Champaign, and Piatt, with headquarters in the City of Champaign.
 - 6) Region 6, consisting of the counties of Mason, Logan, Cass, Menard, Morgan, Sangamon, Scott, Christian, Greene, Macoupin, and Montgomery, with headquarters in the Centennial Building, Springfield, Illinois.
 - 7) Region 7, consisting of the counties of Hancock, McDonough, Schuyler, Adams, Brown, and Pike, with headquarters in Quincy.
 - 8) Region 8, consisting of the counties of Douglas, Edgar, Moultrie, Coles, Clark, Cumberland, Shelby, Effingham, Jasper, and Crawford, with headquarters in Mattoon or Effingham.
 - 9) Region 9, consisting of the counties of Fayette, Bond, Marion, Clay, Clinton, Washington, and Jefferson, with headquarters in Centralia or Mt. Vernon.
 - 10) Region 10, consisting of the counties of Calhoun, Jersey, Madison, Randolph, St. Clair, and Monroe, with headquarters in East St. Louis.
 - 11) Region 11, consisting of the counties of Perry, Franklin, Jackson, Williamson, Saline, Gallatin, Union, Johnson, Pope,

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Hardin, Alexander, Pulaski, and Massac, with headquarters in Carbondale or Marion.

- 12) Region 12, consisting of the counties of Kane and DuPage, with headquarters in Elgin.
- 13) Region 13, consisting of the county of Cook, with headquarters in the building where the Department is located in Cook County.
- 14) Region 14, consisting of the counties of McHenry and Lake, with headquarters in Libertyville.
- 15) Region 15, consisting of the counties of Bureau, LaSalle, Putnam, and Marshall, with headquarters in the City of LaSalle.
- 16) Region 16, consisting of the counties of DeWitt, Macon, and McLean, with headquarters in Bloomington.
- 17) Region 17, consisting of the counties of Wayne, Edwards, Wabash, Lawrence, Richland, Hamilton and White, with headquarters in Lawrenceville.

d) Petitioners who have permanently relocated outside of the State of Illinois and Petitioners who are still residents but are outside the State of Illinois for 3 months or more due to employment reasons may make written application in lieu of returning to Illinois for an informal hearing. Such Petitioner shall be deemed to have waived the right to appear in person. Out-of-state Petitioners must initially submit evidence of their residency, such as, but not limited to voter's registration, income tax returns, apartment rental leases, mortgage contracts, employment verification, utility and/or telephone bills, etc. The department reserves the discretion to reject out-of-state petitions which fail to provide this evidence or establish residency. The department also reserves the discretion to reject an out-of-state petition if there is evidence that the Petitioner is maintaining substantial contact with the state of Illinois and, therefore, is capable of attending a hearing in person.

Except as provided in Section 1001.440(m), out of state Petitioners must submit at a minimum all documentation and information required by Subpart D herein, as well as a sworn, Out-Of-State Petitioner's Affidavit, which provides the information otherwise required by the Illinois Secretary of State (the Secretary) at an informal hearing. Out-of-state Petitioners who reside within 30 miles of the Illinois border shall be required to attend a hearing in person, unless the Petitioner shows good cause for not being able to attend in person. Good cause is shown when it is demonstrated through a written statement that the Petitioner cannot attend a hearing in person due

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to economic, physical, or medical reasons. Mere inconvenience does not constitute good cause.

(Source: Amended at ___ Ill. Reg. ___, effective ___)

Section 1001.350 Duties and Responsibilities

- a) Hearing Officers will send all reports of hearings to the Supervisor in Springfield.

- b) A final decision will be made by the Director or designee at the Department in Springfield, Illinois after consideration of all the evidence on the record, including but not limited to, the driving record of the Applicant; Petitioner, the severity of the offense(s), the frequency of offenses, the nature and sequence of offenses, the statements submitted to the Hearing Officer, and other relevant and probative factors.

(Source: Amended at ___ Ill. Reg. ___, effective ___)

Section 1001.360 Decisions

- a) The decision at the informal hearing is not a final order and as such is not subject to administrative review pursuant to the Administrative Review Law. Following an adverse decision at the informal hearing, the Applicant Petitioner may petition for a formal hearing, conducted pursuant to Subpart A of this Part. Such a formal hearing shall constitute a de novo proceeding and is not an appeal of an adverse decision at the informal hearing.

- b) If a Petitioner has had an informal hearing pursuant to this subpart, another informal hearing shall not be granted until at least thirty (30) days have elapsed since the date of the last informal hearing.

(Source: Amended at ___ Ill. Reg. ___, effective ___)

SUBPART D: STANDARDS FOR THE GRANTING OF RESTRICTED DRIVING PERMITS, REINSTATEMENT, AND THE TERMINATION OF CANCELLATIONS OF DRIVING PRIVILEGES BY THE OFFICE OF THE SECRETARY OF STATE

Section 1001.400 Applicability

This Subpart applies to the decision making process on applications for restricted driving permits by persons whose driving privileges have been suspended, revoked, cancelled or denied; the reinstatement of driving privileges; the granting of driving privileges after denial and the termination of cancellations. Each Applicant's Petitioner's case is unique and all of the evidence and the Applicant's Petitioner's entire driving record must be

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considered with these standards before a decision is made. The issuance of both forms of driving relief are discretionary with the Secretary of State upon the evidence presented as set forth in this Subpart D.

(Source: Amended at ___ Ill. Reg. ____, effective _____)

Section 1001.410 Definitions

"Abstinence" means to refrain from consuming any type of alcoholic liquor or other drugs.

"Abstract" means a summary of a driver's record of traffic law violations, accidents, suspensions, revocations, cancellations, address and personal information of the driver, as contained in the files of the Office of the Secretary of State.

"Accredited educational course" means any class or course of instruction offered by an accredited educational institution, which course is either vocational in nature, or is part of the matriculation process in receiving an academic degree, diploma, or certificate. It shall also include attendance at any required instructional class in an apprentice program.

"Accredited educational institution" means any school, or institution, whether public or private, which offers classes or courses of instruction, and which is reviewed and approved or granted a waiver of approval by the controlling state agency.

"Alcohol and Drug Evaluation (Investigative)" means a typewritten report which conforms to standards established by the Department, as specified in Section 1001.440(a)(6)(D) of this Subpart. The evaluation must be completed on a form prescribed by the Department. This evaluation will be conducted as required pursuant to Sections 1001.420(1) and 1001.430(d) of this Subpart, when: 1) the current loss of driving privileges is not related to a DUI arrest/disposition yet the Petitioner's driving record contains a prior DUI disposition within the last ten (10) years for which the Petitioner did not or was not required to submit to the Secretary of State an alcohol/drug evaluation to obtain driving privileges; or 2) there is evidence that the Petitioner may be a user of alcohol or any other drug to a degree which renders such a person incapable of safely driving a motor vehicle. (See Section 6-103.4 of the Code).

"Alcohol and Drug Evaluation (Out-of-state)" means a typewritten report which conforms to standards established by the Department as specified in Section 1001.440(a)(6)(C) of this Subpart.

"Alcohol and Drug Evaluation (Original) (Uniform Report)" means a typewritten report which conforms to standards established by the

Illinois Department of Alcoholism and Substance Abuse (DASA). (See 77 Ill. Adm. Code 2056.305) The evaluation must be completed on a form prescribed by DASA. The evaluation must be signed and dated by both the evaluator and the Petitioner.

"Alcohol and Drug Evaluation (Update)" means a typewritten report which conforms to standards established by the Department, as specified in Section 1001.440(a)(6)(B) of this Subpart. The evaluation must be completed on a form prescribed by the Department. The update evaluation must be completed by the a program which did the original evaluation in accordance with the provisions of Section 1001.440(a)(6)(A) of this Subpart.

"Alcohol and Drug Related Driver Remedial Program" means an education program concerning the effects of alcohol/drugs on drivers of motor vehicles, which conforms to the standards established by DASA. (See 77 Ill. Adm. Code Subpart D).

"BAC" means blood alcohol concentration as determined by a chemical test administered by police authorities or medical personnel to measure the concentration of alcohol in the bloodstream.

"Clinical Impression" means a qualified professional's (See definition of "Alcohol or Drug Evaluation") interpretation of specific data, which is obtained during an evaluation process; regarding the nature and extent of an individual's use of alcohol and/or other drugs; the treatment process, regarding the effectiveness of treatment provided.

"DASA" means the Illinois Department of Alcoholism and Substance Abuse.

"Department" means the Department of Administrative Hearings of the Office of the Secretary of State.

"Designated Driver Remedial or Rehabilitative Program" means an alcohol or drug evaluation, an alcohol or drug related driver remedial program, an alcohol or drug treatment program, the Office driver improvement program, or any similar program intended to diagnose and change an Applicant's Petitioner's driving problem as evidenced by the Applicant's Petitioner's abstract. (See Sections 6-205(c) and 6-206(c)3 of the Code).

"Director" means the Director or Acting Director of the Department.

"Documentation of Abstinence" means testimony and documentation, in the form of affidavits, letters, etc. from individuals who have regular, frequent contacts with the Petitioner (e.g. spouse, significant other, employer, co-workers, roommates) verifying that to the

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best of their knowledge the Petitioner has been abstinent from alcohol/drugs for a specified period of time.

"Driver License Compact" is an agreement among signatory states which deals with the problems of: issuing drivers licenses to people who move from one signatory state to another; and drivers who are licensed in one signatory state and convicted of traffic offenses in other such states. Said Compact has been codified in Illinois and is found in Chapter 6, Article VII, of the Code.

"DUI" means driving under the influence.

"DUI Disposition" means any conviction or supervision for DUI, or any conviction of reckless driving reduced from DUI, and any statutory summary suspension or implied consent suspension.

"Employ" or "Employed" or "Employment" shall all relate to activity for compensation to support oneself or one's dependents as well as activities ordered by a court in connection with a sentence which includes the completion of a term of community service.

"Evaluator" means any person qualified licensed to conduct an alcohol and drug evaluation; which would include either a staff member of a BHI program licensed by DASA, who satisfies that Department's qualifications; or a physician-Evaluations may be performed by staff members of hospital-based BHI programs where the program is licensed by DASA to provide evaluations; the Petitioner has participated in and completed alcohol/drug treatment at the hospital; or where a previous evaluation by the program was submitted and accepted by the office of the Secretary of State. (See 77 Ill. Adm. Code 2056.1). A treatment provider may be considered an evaluator for the purpose of completing an updated evaluation in accordance with Section 1001.440(a)(6)(A) of this Subpart.

"Fee" means the statutory fees for restricted driving permits or reinstatement of driving privileges, as specified in Section 6-118 of the Code.

"Hearing" means informal hearings and/or formal hearings.

"Jdp" means a Judicial Driving Permit, as defined by Section 6-206.1 of the Code which may be ordered by the court of venue to "first offenders" as defined in Section 11-501.1 of the Code.

"Level I - Non-problematic-(Minimal Risk)" means the classification resulting from an alcohol and drug evaluation assigned to an Applicant Petitioner who has no prior convictions or court ordered supervisions for DUI; or statutory summary suspension or reckless driving conviction reduced from DUI, and a blood alcohol

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concentration (BAC) at time of arrest of less than .20; .15 as a result of the most current arrest for DUI, and no other symptoms of alcohol or drug substance abuse or dependence within the past twelve months. (See 77 Ill. Adm. Code 2056.310).

"Level II - Problematic-Use-(Moderate Risk)" means the classification resulting from an alcohol and drug evaluation assigned to an Applicant Petitioner who has no prior conviction(s) or court ordered supervisions(s) for DUI or statutory summary suspension or reckless driving conviction reduced from DUI and a blood alcohol concentration (BAC) at time of arrest of .20 or higher .15 to .19 or a refusal of chemical testing as a result of the most current arrest for DUI, and no other symptoms of alcohol or drug substance abuse within the past twelve months or dependence. (See 77 Ill. Adm. Code 2056.310).

"Level III - Problematic-Use-(Significant Risk)" means the classification resulting from an alcohol and drug evaluation assigned to an Applicant Petitioner who has a prior conviction(s) or court ordered supervisions(s) for DUI or statutory summary suspension or reckless driving conviction reduced from DUI and/or a blood alcohol concentration (BAC) of .20 or higher as a result of the most current arrest for DUI and/or other symptoms of alcohol or drug substance abuse. (See 77 Ill. Adm. Code 2056.310).

"Level III - Problematic-Use-Dependent-(High Risk)" means the classification resulting from an alcohol and drug evaluation assigned to an Applicant Petitioner with: 1) symptoms of alcohol and/or drug substance dependence (regardless of driving record), hereinafter referred to as Level III Dependent; and/or 2) two prior convictions or court ordered supervisions for DUI or statutory summary suspensions or reckless driving convictions reduced from DUI or any combination thereof resulting from separate incidents, within the ten (10) year period prior to the date of the most current (third or subsequent) arrest, hereinafter referred to as Level III Non Dependent. (See 77 Ill. Adm. Code 2056.310).

"National Driver Register" means a central index, maintained by the U.S. Department of Transportation, of individuals whose driving privileges are denied, terminated or withdrawn, as reported by the states' driver licensing authorities.

"Office" means the Office of the Secretary of State and not any particular department address, or location.

"Applicant" or "Petitioner" is the party who seeks or applies for relief from the Office from the suspension, revocation, cancellation, or denial of his/her driving privileges pursuant to the provisions of the Illinois Vehicle Code.

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"Reinstatement" means the restoration of driving privileges entitling the Applicant Petitioner to apply for a new drivers license in accordance with the requirements of the Illinois Vehicle Code and the Rules promulgated thereunder.

"Respondent" means a person against whom a complaint or petition is filed, or who, by reason of interest in the subject matter of a petition of application or the relief sought therein, is made a Respondent or to whom an order or complaint is directed by the Department initiating a proceeding.

"RDP" means a restricted driving permit, as defined by Section 1-173.1 of the Code and limited as specified in Sections 6-205(c) and 6-206(c)(3) of the Code.

"Secretary" means the Illinois Secretary of State.

"Self-help Program" means an independent non-profit organization comprised of individuals who hold voluntary meetings specifically to help each member to achieve and/or maintain abstinence from alcohol and/or other drugs.

"Significant Other" means any person with whom an individual is experiencing an ongoing, close association that represents a meaningful part of that individual's established lifestyle (e.g. spouse, other family member, employer, co-worker, clergy member, roommate).

"Support/Recovery Program" means specific activities which a recovering alcoholic/chemically dependent person has incorporated into his/her lifestyle to help support his/her continued abstinence from alcohol and other drugs. This may include, but is not limited to participating in a self-help group (Alcoholics Anonymous, Narcotics Anonymous, etc.), a professional support group, or regularly and frequently engaging in religious activities which have a distinct and positive effect on an individual's continued abstinence. Any activity and its relationship to the individual's ability to remain abstinent must be clearly identified and verified by proper documentation independent from an individual's self report (such as indicated in Section 1001.440(e)-(i)). The Hearing Officer shall determine the viability of the activity as a means of supporting continued abstinence, taking into account all the evidence brought forward at the hearing.

"Undue Hardship" as it relates to educational pursuits means an extreme difficulty in getting to and from the location of the accredited education course, due to the loss of driving privileges. It is more than mere inconvenience to the Applicant; Petitioner, and pertains only to the Applicant-Petitioner. All other reasonable means of transportation must be unavailable to the Applicant.

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Petitioner. An undue hardship is not shown by the mere fact that the driving privileges are suspended or revoked.

"Undue Hardship" relating to employment means, as used in the context of Sections 6-205(c) and 6-206(c)(3) of the Code an extreme difficulty in regard to getting to or from an Applicant's Petitioner's place of employment or to operate on a route during employment, e.g. as delivery person, because of the suspension, revocation, or cancellation of the Applicant's Petitioner's driving privileges. It is more than mere inconvenience on the Applicant; Petitioner and pertains only to the Applicant-Petitioner. All other reasonable means of transportation must be unavailable to the Applicant-Petitioner. An undue hardship is not shown by the mere fact that the driving privileges are suspended or revoked.

"Undue Hardship" as it relates to necessary medical care means an extreme difficulty in regard to getting to and from a location where an Applicant Petitioner or a member of his/her immediate family receives examinations, therapy or treatment, etc., prescribed or recommended by a physician and, in the case of a diagnosis or clinical impression of alcoholism/chemical dependency, where an Applicant Petitioner is participating in an ongoing support program as prescribed or recommended by a physician or other qualified professional. It means more than mere inconvenience. There must be no other reasonable alternative means of transportation available. An undue hardship is not demonstrated by the mere fact that the Applicant's Petitioner's driving privileges are suspended or revoked.

(Source: Amended at ___ Ill. Reg. ___, effective _____)

Section 1001.420 General Provisions Relating to the Issuance of Restricted Driving Permits

a) RDP Classifications

- 1) An Applicant Petitioner for an employment related RDP must be currently employed, or present a verifiable commitment for employment, and the employment must be verified upon forms prescribed by the Department. If the Petitioner is self-employed, evidence of self-employment can include, but is not limited to stationery, business card, official receipt, check, State or Federal tax returns or letters from business associates.
- 2) An Applicant Petitioner for a RDP for medical or treatment purposes must provide verifiable documentation from the doctor, counselor or program involved.

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- 3) An Applicant Petitioner for a RDP for court ordered community service must provide certified court documents detailing the terms of the service, including but not limited to the place or places the service is performed, the hours during which the service is to be performed and the nature of the service.
- 4) An Applicant Petitioner for an educational RDP must be currently enrolled, or intend on enrolling, in an accredited educational institution for the purpose of taking an accredited educational course or courses. Prior to the issuance of any educational RDP, the Applicant Petitioner must submit verification of such enrollment from the institution. Such verification shall be on a form provided by the Secretary of State.

b) A RDP may be granted only after suspension, revocation, or cancellation for the offenses listed in Sections 6-205, 6-206, 6-303, 6-201(a)5 as it relates to 6-103.4 and 11-501.1 of the Code. Applicants Petitioners who are eligible to apply for a JDP are not eligible for and will not be considered for a RDP.

c) An Applicant Petitioner must prove by clear and convincing evidence that an undue hardship is currently being suffered as a result of the inability to legally operate a motor vehicle. Mere inconvenience to the Applicant; Petitioner, or family and friends is not undue hardship. The Applicant Petitioner should produce clear and convincing evidence as to the unavailability of reasonable alternative means of transportation, such as but not limited to: walking, mass transit, car pools, or being driven; how Applicant Petitioner is currently getting to his/her destination; whether driving is required in the course of employment; the distance between the Applicant's Petitioner's residence and his/her destination; and similar factors relating to employment, necessary medical care, and/or educational pursuits.

1) Appropriate limits will be established for necessary on-the-job driving. The days, hours, and mileage limits will not exceed those absolutely necessary for the accomplishment of the applicant's primary employment and shall be limited to a maximum of twelve (12) hours per day and six (6) days per week unless the request for increased limits is substantially documented, such as through an employer's verification of the Petitioner's work schedule.

2) A medical RDP may include attendance at no more than three self-help program meetings per week.

3) An educational RDP will be subject to appropriate limits necessary to allow the Applicant Petitioner to get to and from the subject institution/courses. The days and hours will not

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exceed those absolutely necessary for that purpose and shall be limited to a maximum of twelve (12) hours per day and six (6) days per week. Additional parameters to consider in setting such limits shall include whether the Applicant Petitioner commutes daily to the courses, or lives on or within a radius of (1) mile from the campus and only needs to drive to and from the institution on an infrequent basis (less than once per week) and is then able to get to the courses by other means of transportation. Such permit shall expire at the conclusion of the period in which the Applicant Petitioner is currently enrolled. Each new enrollment period shall require a new application for an educational RDP.

d) Factors which will be considered by the Department in determining the propriety of granting a Petitioner a RDP include, but are not limited to: the Applicant's Petitioner's age; whether the Applicant Petitioner has driven while suspended or revoked; duration of present employment; number of years licensed to drive; number, severity, and frequency of accidents; frequency, type, and severity of traffic violations; efforts at rehabilitation or reform of past driving practices; demeanor of Applicant Petitioner in hearing; credibility of Applicant Petitioner and witnesses in hearing; creditability and weight of Applicant's Petitioner's documentary evidence; Applicant's Petitioner's total driving record, including but not limited to reasons for violations, prior permits issued (unless such permits were issued pursuant to the order of a circuit or appellate court following an administrative review action) and driving record while on such permits, driving history in another state if licensed previously; reports of probation and/or parole officers; and psychiatric reports where the evidence shows that Petitioner is suffering or has suffered from a mental disorder which might affect his/her ability to operate a motor vehicle in a safe and responsible manner.

e) The effect of the issuance of a RDP upon public safety will be carefully considered before any RDP is granted, pursuant to Sections 6-205(c) and 6-206(c)3 of the Code.

f) No A RDP will not be issued while any ticket is pending against him/her in any court of this or any other state, unless the pending citation or citations are also the cause of an open summary suspension or suspensions.

g) A Petitioner who is otherwise eligible for a RDP may be referred to a remedial or rehabilitative program prior to the permit's issuance, if his/her driving record warrants such measures. (See Sections 6-205(c) and 6-206(c)3 of the Code).

h) A Petitioner otherwise eligible for reinstatement of driving privileges or termination of a cancellation under 6-201(a)5 as it relates

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to 6-103.4, may be issued a RDP for a probationary or trial period, prior to full reinstatement of driving privileges or termination of cancellation in cases where the Petitioner has a poor driving record evidenced by many minor violations or a few serious violations or involvement as a driver in a traffic collision(s) resulting in death or injury requiring immediate professional treatment in a medical facility or doctor's office to any person, or has been evaluated as Level II or Level III by an alcohol/drug evaluation.

i) A RDP will be issued to an out-of-state resident only if he/she has a valid license to drive issued by the jurisdiction in which he/she resides; he/she has a verified employment, medical, or educational related need to drive in Illinois; and he/she complies with all other requirements of this Subpart.

j) A RDP will not be issued to a new resident of Illinois if his/her driving privileges are suspended or revoked in another jurisdiction until such time as that suspension or revocation ends: is terminated.

k) ---No-fees-will-be-collected-before-a-decision-is-made-on-an-application-

kl) The Director or a designee shall make the final decision, on each application, on behalf of the Secretary. If relief was sought at a formal hearing, Applicants Petitioners will receive a copy of the Hearing Officer's Findings of Fact, Conclusions of Law, and Recommendations, and the Secretary's Order.

ml) A Petitioner will be required to complete and submit an Investigative alcohol and drug evaluation as part of the Secretary's investigative process, where the evidence indicates that: alcohol-or-drug-use-may-have-been-involved-in-a-traffic-violation;-a-traffic accident-or-any-crime- 1) the current loss of driving privileges is not related to a DUI arrest/disposition yet the Petitioner's driving record contains a prior DUI disposition within the last ten (10) years for which the Petitioner did not or was not required to submit to the Secretary of State an alcohol/drug evaluation to obtain driving privileges; or 2) the Petitioner may be a user of alcohol or any other drug to a degree which renders such a person incapable of safely driving a motor vehicle. (See Section 6-103.4 of the Code). The Petitioner will be required to complete any recommended rehabilitative activity or provide a waiver thereof.

nm) A Petitioner whose driving privileges have been revoked, cancelled or whose drivers license has expired will be required to submit to a driver's license examination prior to the issuance of a RDP. if no such test has been successfully completed in the preceding twelve (12) months:

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(Source: Amended at ___ Ill. Reg. ___, effective _____)

Section 1001.430 General Provisions for Reinstatement of Driving Privileges after Revocation

a) In all cases, a conviction in a court of law in Illinois or any other state is dispositive of the guilt of an Applicant Petitioner of the offense which caused his/her revocation.

b) If revocation was for a cause that has been removed, such as the reversal of a conviction upon which revocation was entered, the Applicant Petitioner must demonstrate that fact by clear and convincing evidence.

c) The Factors which will be considered by the Department in determining the propriety of reinstating an Applicant Petitioner whose driving privileges have been revoked include but are not limited to: The Applicant's Petitioner's age; whether the Applicant Petitioner has driven while suspended or revoked; duration of present employment; number of years licensed to drive; number, severity, and frequency of accidents; frequency type, and severity of traffic violations; efforts at rehabilitation or reform of past driving practices; demeanor of Applicant Petitioner in hearing; credibility of Applicant Petitioner and witnesses in hearing; credibility and weight of Applicant's Petitioner's documentary evidence; Applicant's Petitioner's total driving record, including but not limited to reasons for violations, prior permits issued (unless such permit was issued pursuant to the order of circuit or appellate court following an administrative review action) and driving record while on any permit; driving history in another state if licensed previously; reports of probation and/or parole officers; and psychiatric reports where the evidence shows that Petitioner is suffering or has suffered from a psychiatric disorder which might effect his/her ability to operate a motor vehicle in a safe and responsible manner.

d) A Petitioner will be required to complete and submit an Investigative alcohol drug evaluation as part of the Secretary's investigative process, where the evidence indicates that: alcohol-or-drug-use may-have-been-involved-in-a-traffic-violation;-a-traffic-accident-or-any-crime- 1) the current loss of driving privileges is not related to a DUI arrest/disposition yet the Petitioner's driving record contains a prior DUI disposition within the last ten (10) years for which the Petitioner did not or was not required to submit to the Secretary of State an alcohol/drug evaluation to obtain driving privileges; or 2) the Petitioner may be a user of alcohol or any other drug to a degree which renders such a person incapable of safely driving a motor vehicle. (See Section 6-103.4 of the Code). The Petitioner will be required to complete any recommended rehabilitative activity or provide a waiver thereof.

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- e) A Petitioner will be required to submit to a driver's license examination prior to the reinstatement of driving privileges if no such test has not been successfully completed in the preceding twelve (12) months.
- f) In either case of subsections b) and (c), the public welfare and safety must not be endangered by the reinstatement of the Applicant's Petitioner's driving privileges. The Applicant, Petitioner, if restored to driving privileges, must operate a motor vehicle safely so as not to be a danger to himself or herself or other drivers on the road. The mere passage of time since the date of revocation is not sufficient evidence.

- g) A hearing for reinstatement will not be conducted at any time before the prescribed date of eligibility.

- h) The driving privileges of a Petitioner shall not be reinstated while any traffic offense is pending against him/her in any court.

- i) The Director or a designee shall make the final decision, on each application, on behalf of the Secretary. If relief was sought at a Formal Hearing, Applicants Petitioners will receive a copy of the Hearing Officer's Findings of Fact, Conclusions of Law, and Recommendations, and the Secretary's Order.

(Source: Amended at ___ Ill. Reg. _____, effective _____)

Section 1001.440 Provisions for Alcohol and Drug Related Revocations, Suspensions, and Cancellations; and Penalties Pursuant to Sections 6-205(a)2, 6-205(d), 6-206(a)1, 6-206(a)6, 6-206(a)17, 6-206(a)24, 6-206(a)31, 6-201, 6-203, 6-203.1 and 11.501.1

- a) Except as provided in Subsection (1) below, in any application for reinstatement, a RPP, or the termination of an order of cancellation, or relief following the denial of an application for driving privileges, all Applicants Petitioners must submit an alcohol and drug evaluation and, where required, evidence of successful completion of an alcohol and drug-related driver remedial course and/or evidence of successful completion of treatment or proof of adequate rehabilitative progress. Out-of-State Applicants who seek relief from an Illinois suspension or revocation and who have been classified as Level I or II in an alcohol and drug evaluation must provide proof of the successful completion of a licensed alcohol/drug remedial education course.

- 1) An alcohol and drug evaluation submitted by a resident of Illinois must have been conducted by an individual or an agency licensed by DASA, a physician licensed to practice medicine and to provide evaluations; or a hospital-based BUI program

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where an applicant has received substance abuse treatment or has previously submitted such an evaluation at a prior hearing. An alcohol or drug-related remedial course completed by an Illinois resident must have been provided by an individual or agency licensed by DASA. (See 77 Ill. Adm. Code 2056.5). Exceptions to these requirements will be allowed in the cases listed below. In such case, the evaluation and remedial course must be provided by an individual or agency accredited by the state in which the individual or agency operates. (See 77 Ill. Adm. Code 2056.5).

- A) If the Petitioner is currently and has been continuously employed, in a civilian or military capacity, outside the state of Illinois for a period of at least three (3) months;

- B) If the Petitioner received treatment for alcohol or drug abuse from a treatment program located outside the State of Illinois, which has been appropriately accredited by the state in which it operates;

- 6) --- If the Petitioner is a member of the military who at the time of application is stationed outside the State of Illinois;

- BC) If the Petitioner is a student at a college, university or technical school located outside the State of Illinois.

- 2) The choice of these programs is within the discretion of the Applicant-Petitioner. The evidence submitted must be typewritten, although the evaluator may testify at any hearing.

- 3) The Department may provide Applicants Petitioners who inquire with a list of programs, from which the Applicant Petitioner may choose an evaluator and remedial programs, but the Applicant Petitioner is not limited to the use of persons or programs on this list.

- 4) The alcohol and drug evaluation (uniform report) as defined in Section 1001.410 must conform to the standards for an evaluation set by DASA. (See 77 Ill. Adm. Code 2056.305). The evaluation must be signed and dated by both Petitioner and evaluator.

- 5) The alcohol and drug-related driver remedial program must, at a minimum, conform to the standards for alcohol/drug remedial education courses set by DASA. (See 77 Ill. Adm. Code 2056. Subpart D).

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- 6) The alcohol and drug evaluation must be current, which is defined as having been completed within six (6) months of the date of the hearing.

A) Updates--of--original An updated evaluation shall be conducted only by the same program which conducted the original evaluation; unless the Applicant's case file is transferred to another program which prepares the update; if an update cannot be obtained from the original records; then another original evaluation must be submitted; Exceptions to this requirement will be allowed under the circumstances detailed below:

1) If the Petitioner's casefile or copies of all casefile material are transferred to another program which prepares the update. Such transfer will be considered acceptable only if the original evaluating program can no longer provide evaluation services for reasons such as a suspended or revoked license or voluntarily terminating evaluation business operations. If an update cannot be obtained by reviewing the original casefile information, another original evaluation must be submitted.

2) If the Petitioner completes treatment recommended as a result of the most recent alcohol and drug evaluation, the program providing such treatment may prepare any subsequent updated evaluation from their own casefile information without obtaining such information from the evaluating program that made the treatment recommendation.

B) An updated evaluation shall contain, at a minimum, the following: a description of alcohol/drug use and/or abuse covering the time since the last evaluation or update; any impairment of significant life areas since the last evaluation or update; {77-III--Adm--606-2856-305(a)}(2)-(6)) the evaluator's previous and current alcohol/drug-use classification of the Applicant; Petitioner, any current recommendation(s) and the rationale for such recommendation(s); and an indication that Petitioner has or has not completed all prior recommendations. The updated evaluation must be corroborated by an interview with a family member or significant other. The information obtained must be summarized and the evaluator should indicate whether it corroborates the data provided by the Applicant. Petitioner. The updated evaluation must be typewritten on a form provided by the Department, and verified by the evaluator. The program must meet the same standards as

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programs-qualified-to-prepare-original-evaluations- (See subsection (a)(1)).

1) Any updated evaluation, which reclassifies a Petitioner to or within Level II or III, shall include a referral to a treatment provider for the purpose of determining the need, if any, for additional rehabilitative activity. Any waiver of additional rehabilitative activity by the treatment provider must be in writing and include the rationale for the waiver. Any recommendation for additional rehabilitative activity must be completed with before relief will be granted.

2) A Petitioner may not submit an updated evaluation if the uniform report evaluation being updated does not discuss the most recent DUI disposition. In such case the Petitioner must submit a uniform report evaluation.

C) An out-of-state alcohol and drug evaluation shall contain, at a minimum, the following: a complete alcohol and drug use history; a history of any alcohol and drug related offenses; a current alcohol/drug use classification of the Petitioner and the rationale for that classification; any recommendation(s) and the rationale for such recommendation(s). The evaluation must be corroborated by an interview with a significant other and by the administration of an objective test. The information obtained must be summarized and the evaluator should indicate whether it corroborates the data provided by the Petitioner. The evaluation must be verified by the evaluator. The individual or agency that completes the evaluation must be properly accredited or licensed in the state in which the individual or agency operates.

D) An investigative alcohol and drug evaluation shall contain, at a minimum, the following: a complete alcohol and drug use history; a history of alcohol and drug related driving and criminal offenses; a clinical impression of what the evaluation data indicates and the rationale for that conclusion; any recommendation(s) and the rationale for such recommendation(s). The evaluation must be corroborated by an interview with a significant other and by the administration of an objective test. The information must be summarized and the evaluator should indicate whether it corroborates the data provided by the Petitioner. The evaluation must be typewritten on a form provided by the Department and verified by the evaluator.

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The program that completes the evaluation must meet the same standards as programs qualified to prepare uniform report evaluations. (See subsection (a)(1)).

7)---The Hearing Officer shall require an alcohol/drug evaluation to be completed and submitted by the Applicant, as part of the Secretary's investigation process; where the evidence indicates that alcohol or other drugs may have been involved in a traffic violation; traffic accident or any crime.

87) Any alcohol or drug related remedial course required as a result of an evaluation by these rules must be completed on a date after the most recent alcohol/drug-related violation: DUI arrest.

b) Before any driving relief will be granted, the Applicant Petitioner must prove by clear and convincing evidence: that he/she does not have a current problem with alcohol or other drugs; that he/she is a low or minimal risk to repeat his/her past abusive behaviors and the operation of a motor vehicle while under the influence of alcohol or other drugs; and that he/she has complied with all other standards as specified in this Subpart D. If the evidence establishes that the Applicant Petitioner has had an alcohol/drug problem, the Applicant Petitioner must also prove that said problem has been resolved.

1) Applicants Petitioners whose use of alcohol/drugs has been classified as Non-Problematic (Level I) Minimal Risk must document successful completion of a 10 hour alcohol/drug remedial education course by submission of a document which reflects the completion of the requirements contained in 77 Ill. Adm. Code 2056-595(a)--through--(d)--where--applicable--Subpart D.

2) Applicants Petitioners whose use of alcohol/drugs has been classified as Problematic (Level II) Moderate or Significant Risk must document successful completion of an alcohol/drug remedial course as specified in (1) above and the treatment recommended by the evaluator or other qualified professional recommended on referral by the evaluator. The treatment must be provided by an individual or agency licensed to provide such treatment by DASA or the Department of Public Health, or an individual therapist who is licensed as a private practitioner by the Illinois Department of Professional Regulation, or an out-of-state individual therapist or agency properly licensed by the state in which they operate.

3) Applicants Petitioners classified as Problematic-Use;--Dependent (Level III) Dependent must document abstinence as required in

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subsection (e) below; the completion of treatment provided by a facility or facilitator licensed by DASA or the Illinois Department of Public Health; an individual therapist who is licensed as a private practitioner by the Illinois Department of Professional Regulation, or an out-of-state individual therapist or agency properly licensed by the state in which they operate; the establishment of an ongoing support/recovery program; and the completion of compliance with any additional treatment recommendations of his/her evaluator; or treatment provider.

4) Petitioner's classified as Level III Non Dependent must document: non-problematic use as provided in (f) below; treatment provided by a facility or facilitator licensed by DASA or the Illinois Department of Public Health, an individual therapist who is licensed as a private practitioner by the Illinois Department of Professional Regulation, or an out-of-state individual therapist or agency properly licensed by the state in which they operate; compliance with any additional recommendations of his/her evaluator or treatment provider, including abstinence; and the further assessment by the treatment provider to identify the disorder causing the high risk behavior as required by DASA. (See 77 Ill. Adm. Code 2056.315).

45) In the event that a treatment provider does not require an individual classified Level II or Level III to complete at least the minimum amount and type of treatment specified by DASA, the treatment provider must supply the Department with a detailed explanation of the rationale for that decision. The treatment provider may not, however, under any circumstances, waive further assessment and counseling required of any Petitioner classified Level III Non Dependent.

c) The presence of more than one conviction for DUI disposition on an Applicant's Petitioner's abstract shall create a rebuttable presumption that the Applicant Petitioner suffers from a current alcohol/drug problem and should, therefore, be classified at least as a problematic-user-(level II) Significant Risk).

d) Evidence which shall be considered in determining whether the Applicant Petitioner has met his/her burden of proof and; has overcome the presumption of a current alcohol/drug problem includes, but is not limited to, the following, where applicable:

- 1) The factors enumerated in Section 1001.430(bc) above;
- 2) The similarity of circumstances between alcohol or drug related arrests;

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- 3) Any property damage or personal injury caused by the Applicant Petitioner while driving under the influence;
- 4) Changes in lifestyle and alcohol/drug use patterns following alcohol/drug related arrest, and the reasons therefor;
- 5) The chronological relationship of alcohol/drug related arrests;
- 6) Length of alcohol/drug abuse pattern;
- 7) Degree of self-acceptance of alcohol/drug problem;
- 8) Degree of involvement in or successful completion of prior treatment/intervention recommendations following alcohol/drug related arrests; and support/recovery program;
- 9) Prior relapses from attempted abstinence;

10) Identification, treatment and resolution of any disorder causing high risk behavior as found in a further assessment required of any Petitioner classified Level III, Non Dependent.

11) The problems, pressures and/or external forces alleged to have precipitated the Petitioner's abuse of alcohol or other drugs on the occasion of each alcohol/drug related arrest, and the present status of the same; particularly whether they have been satisfactorily resolved;

12) The Petitioner's explanation for his/her multiple arrests and/or convictions for offenses involving alcohol/drugs, particularly for allowing the second and subsequent arrests/convictions to occur;

13) In out-of-state petitions the evaluator's rationale for classifying an -Applicant Petitioner with multiple DUI convictions as a non-problematic user (Level I). In such cases it is particularly important that the evaluator's classification be based on complete and accurate information.

14) It is particularly important that the evaluator's classification be based on complete, accurate and consistent information. The probative value of evaluations which deviate from this standard will be diminished. The degree to which their probative value will be diminished will depend upon the degree to which the evaluation deviates from this standard and the standards imposed by DASA.

e) Applicants with a clinical impression of Problematic-Use; Dependent or any Petitioners classified as Level III (High-Risk)

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other Petitioner with a recommendation of abstinence by a DASA licensed evaluator or treatment provider, should have a minimum of twelve (12) consecutive months of documented abstinence. Documentation of abstinence must be received from at least three (3) independent sources. The sources should not be fellow members of a support group; unless those members have regular and frequent contact with the Petitioner outside the group meetings. The Hearing Officer shall determine the weight to be accorded the documentation, taking into account the credibility of the source and the totality of the evidence adduced at the hearing. Letters or witness testimony documenting establishing abstinence should contain at a minimum, the following:

- 1) The writer's person's relationship to Applicant Petitioner (friend, family member, fellow employee, etc.).
- 2) How long the writer person has known the Applicant Petitioner.
- 3) How often the writer person sees the Applicant Petitioner (daily, weekly, monthly, etc.).
- 4) How long the writer person knows the Applicant Petitioner has abstained.
- 5) Letters must be dated and signed.

Waivers are discretionary when considering a RDP but shall not be granted unless Petitioner proves at least six (6) months continuous abstinence, and in addition to proving an active involvement in a support program. When waivers are granted Petitioner shall be required to supply the Office-of-the Secretary with monthly documentation of his involvement in the support program or the RDP will be cancelled.

f) Petitioners classified as Level III Non Dependent must demonstrate at least twelve (12) consecutive months of non-problematic alcohol use and abstinence from the use of illegal drugs. This evidence must be submitted from at least three (3) independent sources and generally comply with the standards set forth in paragraph (e) above.

Waivers are discretionary when considering a RDP, but shall not be granted unless the Petitioner demonstrates at least six (6) months of non-problematic alcohol use and abstinence from the use of illegal drugs.

fg) If the Applicant Petitioner has been attending a self-help program, such as Alcoholics Anonymous or Narcotics Anonymous, the Applicant Petitioner should present at least three dated and signed letters or

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witness testimony from fellow self-help program members documenting at a minimum the following:

- 1) How long the writer person has known the Applicant- Petitioner.
- 2) How long the Applicant Petitioner has attended the program.
- 3) How often the Applicant Petitioner attends the program.

h) If the Petitioner's support/recovery program does not involve a structured, organized, recognized program such as A.A. or N.A., the Petitioner is required to identify what that program is, explain how it works and keeps Petitioner abstinent. The Petitioner is required to present either witness testimony or written verification of the program from at least three (3) independent sources involved in the program, which if letters, should be signed and dated and which must contain at a minimum, the following:

- 1) The person's relationship to Petitioner (friend, family member, fellow employee, etc.).
- 2) How long the person has known the Petitioner.
- 3) How often the person sees the Petitioner (daily, weekly, monthly, etc.).
- 4) How the person is involved in the Petitioner's recovery program, what role the person plays in helping the Petitioner abstain from alcohol/drugs.
- 5) What changes the person has seen in the Petitioner since Petitioner's abstinence.

g.i) If Applicant Petitioner has a self-help program sponsor, one (1) letter should be obtained from his/her sponsor documenting the above data- in subparagraph (g).

h.i) In cases where an Applicant Petitioner seeks a restricted driving permit to allow him/her to drive to self-help program meetings, he/she must provide specific information identifying at a minimum, the following:

- 1) The locations of the meetings he/she wishes to attend;
- 2) The days of the week when meetings are held at these locations;
- 3) The hours of the day when these meetings are held;

ik) If the Petitioner has had alcohol or drug related treatment he/she

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must provide a narrative summary which includes, at a minimum; the following information:

- 1) A narrative summary which includes, at a minimum:
 - 1A) The name, address, and telephone number of treatment center.
 - 2B) The date the Petitioner entered treatment and the date the Petitioner was discharged from treatment; the number of days or hours the Petitioner was involved in treatment; the admitting and discharge diagnosis.
 - 3C) The type of treatment received, (e.g outpatient, intensive outpatient, or inpatient treatment; individual or group therapy).

4)---A summary of the Petitioner's involvement in treatment, including a discussion of these specific alcohol/drug-related issues addressed during treatment, as well as the quality of the Petitioner's participation and overall response during treatment:

5D) A clinical impression or prognosis of either a Level II Petitioner's ability to maintain a non-problematic pattern, or a Level III Petitioner's ability to maintain a stable recovery; where applicable. Specifically, the treatment provider's perception of what the Petitioner gained from the treatment experience and whether the experience was sufficient to substantially minimize the possibility of a recurrence of alcohol/drug related problems.

6E) Any recommendations for aftercare or follow-up support, and an indication of Applicant's Petitioner's participation, if applicable.

F) Rationale for any modification in the treatment requirements specified by DASA.

7G) The dated signature of the professional staff person providing the treatment information.

2) Copies of the following documents required by DASA:

- A) Individualized Treatment Plan. See 77 Ill. Adm. Code 2058.333.
- B) Discharge Summary and Aftercare Plan. See 77 Ill. Adm.

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Code 2058.339.

83) If Petitioner is unable to provide the required information, he must provide documentary evidence of his attempts to obtain same and the reason for its unavailability.

j)---This Part applies to applications for driving relief while suspended, revoked, cancelled, or after denial of driving privileges for an alcohol/drug-related offense or cause:

k1) If an Applicant Petitioner presents an alcohol/drug evaluation that was obtained as a condition precedent to either obtaining a JDP or the disposition of a DUI charge, that evaluation must meet the requirements of this Section in order to be accepted by the Secretary of State.

m) Out-of-state Petitioners whose last arrest for driving under the influence occurred before January 1, 1980 may be excused from the requirement of an evaluation if the other evidence required of the Petitioner, as set out hereinafter, indicates that the Petitioner does not have a current problem with alcohol or other drugs, that, if the Petitioner has had an alcohol problem, it has been resolved, that the Petitioner is now a low or minimum risk to repeat his/her past abusive behaviors and the operation of a motor vehicle while under the influence of alcohol or other drugs, and that the Petitioner can now be considered a safe and responsible driver. The rationale for this rule is that the length of time since the Petitioner's last DUI arrest indicates he/she is no longer a dangerous driver, and that Illinois' interest in a driver who no longer resides in this state is less than in one who resides in Illinois.

1) Petitioners must submit, at a minimum, the following evidence:

- A) An affidavit regarding their alcohol/drug use, on a form provided by the Secretary of State;
- B) At least three (3) letters of reference which, at a minimum, verify the frequency and amount of the Petitioner's alcohol/drug use for at least the last twelve (12) months prior to the hearing. Said letters should also discuss the Petitioner's character and ability to be a safe and responsible driver. The author must state how long he/she has known the Petitioner, how often he/she sees, speaks to, or otherwise has contact with the Petitioner, the nature of said contact, and the nature of their relationship.

C) If the Petitioner was required to participate in an alcohol/drug evaluation after his/her last arrest for

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driving under the influence, then the Petitioner must submit a copy of that evaluation.

D) If the Petitioner has received treatment for alcohol/drug abuse, then he/she must submit a copy of the discharge summary of that treatment (written by the agency which provided the treatment).

E) Petitioners who have been identified as or believe themselves to be alcoholic/chemically dependent must fulfill the requirements of subsection (b)(3) above pertaining to abstinence and the establishment of an ongoing support/recovery program.

F) Credible evidence of his/her driving record in the current state of residence. The Secretary of State may also obtain this evidence.

G) Any other relevant evidence which the Petitioner desires to provide.

2) Upon receipt of this evidence, it shall be reviewed by the Director of the Department or a duly appointed Hearing Officer designated by the Director, for the purpose of determining whether the requirement of an alcohol/drug evaluation should be waived and the out-of-state petition disposed of based upon the evidence listed above. The factors recited in subsection (d) above shall be utilized and applied in making this determination.

(Source: Amended at Ill. Reg. _____, effective _____)

Section 1001.450 New Hearings

If an Applicant Petitioner is denied any relief after a Formal Hearing conducted pursuant to the Rules of Subpart A hereof, either for cause or upon default, ~~no new~~ another formal or informal hearing will not be granted to that Applicant Petitioner until at least four (4) months have elapsed since the date of the hearing.

(Source: Amended at Ill. Reg. _____, effective _____)

Section 1001.460 Requests for Modification of Revocations and Suspensions

a) Revocations and suspensions will not be rescinded, except as provided by law or rule.

b) Consideration for early termination of suspension may be given to an Applicant Petitioner under the following conditions:

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should be granted in only limited cases. This procedure should be used rarely and the reasons should be fully documented on the record.

(Source: Amended at Ill. Reg. _____, effective _____)

Section 1001.470 Renewal, Correction and Cancellation of RDP's

- a) The Holders of a RDP granted as a result of a Fformal Hearing decision, if still valid or expired for 30 days or less, and who are is required to apply for reinstatement through a formal hearing, (See Section 1001.300) may apply for a new RDP through an informal hearing, using the procedures set forth in Subpart C of this part and providing all documentation required in Subpart D in cases which are alcohol/drug related.
- b) Applicants Petitioners who are required to apply for relief at a Fformal Hearing or who choose to apply for relief at a Fformal Hearing and who are issued a RDP, may apply for additional RDPs for different purposes at informal hearings. Petitioners so situated must produce the same evidence at the informal hearing as would have been required for favorable consideration at a Fformal Hearing.

- c) Corrected RDPs will be issued to make necessary changes to the information on the RDP if changes in employment and driving limits are documented and verified. Corrected RDPs will expire on the same date as the original permit.

- d) RDP's will be cancelled or invalidated pursuant to Sections 6-303, 6-113, 6-201, 6-205(a), and 6-206(a) of the Code. The Secretary of State reserves the authority to cancel any restricted driving permit(s) previously issued to a Petitioner when the preponderance of the evidence taken at a subsequent hearing demonstrates that the Petitioner can no longer be considered a low risk to repeat his/her past abusive behavior and be a safe and responsible driver, has regressed in his/her recovery from an alcohol/drug problem, or otherwise in any way is no longer in compliance with the standards specified in this Subpart D.

(Source: Amended at Ill. Reg. _____, effective _____)

Section 1001.485 Reinstatement Application Based Upon Issuance of Drivers License in a State Which is a Member of the Driver License Compact

- a) An Applicant Petitioner who is revoked in Illinois, is issued full driving privileges by a state that is a member of the Driver License Compact, and who requests reinstatement based upon that fact must request a hearing to apply for reinstatement to determine whether the license was properly issued.

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- 1) No serious accidents on past record, as defined by Sections 6-205(a) and (b) and 6-206(a) of the Code.

- 2) No violations for at least 6 months, and no prior revocations or suspensions on the Applicant's Petitioner's driving record.

- 3) Intensity-of-hardship: Extent of Petitioner's culpability.

- c) Mandatory revocations and suspensions cannot be reduced or modified in any way.

- d) A discretionary revocation may be reduced to a suspension or the period of a discretionary suspension may be reduced for good cause shown. ~~To be favorably considered; the Applicant must not have a~~ Factors to consider include prior revocations or suspensions, (suspensions under the Illinois Safety Responsibility Law (Ill. Rev. Stat. 1987, ch. 95 1/2 par. 7-100 et. seq.) and Sections 6-306.3, 13A-112 of the Code not withstanding) and the seriousness of the offense(s). ~~must not be serious; a hardship must be demonstrated;~~ The Applicant Petitioner must demonstrate that he/she is a low risk for repeating his/her behavior in the future. Other factors may be considered by the Hearing Officer.

- e) Credit may be given to Petitioners whose Illinois driving privileges have been suspended or revoked pursuant to Section 6-206(a)6 of the Code for an out-of-state conviction for an offense which if committed in Illinois would be grounds for suspension or revocation, and whose driving privileges were suspended or revoked in that state; or, if the Petitioner is a member of the armed forces at the time of the offense and his/her Illinois driving privileges have been suspended or revoked pursuant to Sections 6-206(a)6 or (a)24 of the Code, if the Petitioner's military installation driving privileges were suspended or revoked as a result of his/her arrest or conviction for such an offense. ~~thus creating~~ The Petitioner must also demonstrate that said suspension or revocation created an undue hardship affecting the Petitioner's his/her ability to go to work and perform daily tasks in that state; ~~may be given credit for that~~ out-of-state suspension or revocation ~~against the period of his/her~~ Illinois suspension or revocation. Such credit shall be granted given against the Illinois suspension or revocation to be for the same period length of time actually served (on the out-of-state or military suspension or revocation) prior to the effective date of the Illinois suspension or revocation. A discretionary revocation will be modified to a suspension and terminated early, or the date of eligibility for full reinstatement of Illinois driving privileges shall be advanced.

- f) Suspension periods are set by rule of the Department of Drivers Services to apply equally to all persons. Modifications in any way

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- b) In determining whether the license was properly issued by the member state, the following factors shall be in issue:

- 1) whether one year has passed from the effective date of the revocation;
 - 2) whether the **Applicant** Petitioner disclosed to the issuing state that the individual's privileges were withdrawn by the State of Illinois at the time of the application for the license in the other state;
 - 3) whether the issuing state verified eligibility with the National Driver Register;
 - 4) whether or not Illinois issued a clearance authorization indicating that the **Applicant** Petitioner is eligible for full driving privileges in Illinois;
 - 5) whether the issuing state complied with all other requirements of the Driver License Compact;
 - 6) such other issues as may be deemed relevant at the hearing.
- c) The burden of proof is upon the **Applicant** Petitioner who must show by clear and convincing evidence that the license was properly issued by the member state. Proof shall consist of the appropriate documents certified by the other state or jurisdiction.
- d) If the **Applicant** Petitioner cannot show that the license was properly issued by the member state, then prior to any reinstatement of driving privileges, all of the provisions of this Part 1001 are applicable and must be complied with.

(Source: Amended at ___ Ill. Reg. ____, effective _____)

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NOTICE OF ADOPTED RULES

- 1) The Heading of the Part: Americans with Disabilities Act Grievance Procedure

- 2) Code Citation: 4 Ill. Adm. Code 975

- | | |
|---------------------|-----------------|
| 3) Section Numbers: | Adopted Action: |
| 975.10 | New Section |
| 975.20 | New Section |
| 975.30 | New Section |
| 975.40 | New Section |
| 975.50 | New Section |
| 975.60 | New Section |
| 975.70 | New Section |

- 4) Statutory Authority: Implementing Title II, Subtitle A of the Americans with Disabilities Act of 1990 (42 USC 12131-12134), as specified in Title II regulations (28 CFR 35.107), and authorized by Section 9.05 of the "Board of Higher Education Act" (Ill. Rev. Stat. 1991, ch. 144, par. 189.05)

- 5) Effective Date of Rules: December 7, 1992

- 6) Does this rulemaking contain an automatic repeal date? No.

- 7) Does this rulemaking contain incorporation by reference? No.

- 8) Date Filed in Agency's Principal Office: November 25, 1992

- 9) Notice of Proposal Published in Illinois Register: 16 Ill. Reg. 11709, July 24, 1992

- 10) Has JCAR issued a Statement of Objection to these rules? No.

- 11) Difference(s) between proposal and final version:

The following style and format changes were made: "Procedures" was changed to "Procedure" in the text; in the main source note, spacing was changed; spacing was changed in Section headings; all definitions were placed in alphabetical order; italics were deleted in use of phrase "et seq."; in Section 975.50(f), the statutory citation was placed in parentheses rather than in italics, and was updated to 1991; and in Sections 975.60 and 975.70 the unlabeled paragraphs were moved to the left margin.

Also, in Section 975.10(b), a comma was deleted after the word "service," Section 975.10(c), "a" was deleted prior to the word grievance, and that work made plural, Section 975.20, in the definition of grievance, a comma was inserted between the words "of" and "any" in line 4; Section 975.30(b), a comma was inserted after the word "limits," Section 975.50(e), the letter "e" was deleted at the end of the word therefore; Section 975.70, line one, "which include but are" was changed to read "that includes but is"; line three, words "or not" were deleted after the word whether.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes.

- 13) Will this rule replace an emergency rule currently in effect? No.

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- 14) Are there any amendments pending on this Part? No.
- 15) Summary and Purpose of Rule: The rulemaking establishes a grievance procedure whereby qualified individuals with disabilities may resolve allegations of denial or discrimination of public services on the basis of their disabilities as required by the federal Americans with Disabilities Act.
- 16) Information and questions regarding this adopted rule shall be directed to:

Carolyn Lorton, Assistant Director
 Illinois Board of Higher Education
 4 West Old Capitol Square, Room 500
 Springfield, Illinois 62701
 VOICE: 217/782-2551 TDD: 217/524-3494

The full text of the Adopted Amendments begins on the next page:

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TITLE 4: GRIEVANCE PROCEDURES
 CHAPTER XXXVI: BOARD OF HIGHER EDUCATION
 PART 975
 AMERICANS WITH DISABILITIES ACT GRIEVANCE PROCEDURE

Section	Purposes
975.10	Definitions
975.20	Procedure
975.30	Designated Coordinator Level
975.40	Final Level
975.50	Accessibility
975.60	Case-by-Case Resolution
975.70	

AUTHORITY: Implementing Title II, Subtitle A of the Americans with Disabilities Act of 1990 (42 U.S.C. 12131-12134), as specified in Title II regulations (28 CFR 35.107), and authorized by Section 9.05 of the "Board of Higher Education Act" (Ill. Rev. Stat. 1991, ch. 144, par. 189.05).

SOURCE: Adopted at 16 Ill. Reg. 19806, effective December 7, 1992.

Section 975.10 Purposes

- a) This Americans with Disabilities Act Grievance Procedure ("Procedure") is established pursuant to the Americans with Disabilities Act of 1990, 42 USC Section 12101 et seq., ("ADA") and specifically Section 35.107 of the Title II regulations, 28 CFR Part 35, requiring that a grievance procedure be established to resolve grievances asserted by qualified individuals with disabilities. Should any individual desire to review the ADA or its regulations to understand the rights, privileges and remedies afforded by it, please contact the Designated Coordinator.
- b) In general, the ADA requires that each program, service and activity offered by the Board, when viewed in its entirety, be readily accessible to and usable by a qualified individual with disabilities.
- c) It is the intention of the Board to foster open communications with all individuals requesting readily accessible programs, services and activities. The Board encourages supervisors of programs, services and activities to respond to requests for modifications before they become grievances.

Section 975.20 Definitions

"Board" is the Board of Higher Education.

"Complainant" is an individual with a disability who files a Grievance Form provided by the Board under this procedure.

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"Designated Coordinator" is the person appointed by the Executive Director who is responsible for the coordination of efforts of the Board to comply with and carry out its responsibilities under Title II of the ADA including investigation of grievances filed by complainants. See 28 CFR 35.107.

"Grievance" is any complaint under the ADA by an individual with a disability who meets the essential eligibility requirements for participation in or receipt of the benefits of a program, activity or service offered by the Board, and believes he or she has been excluded from participation in, or denied the benefits of, any program, service or activity of the Board or has been subject to discrimination by the Board.

Section 975.30 Procedure

a) Grievances must be submitted through the channels defined below in the form and manner as described within the specified time limits. It is mutually desirable and beneficial that grievances be satisfactorily resolved in a prompt manner. Time limits established in this procedure are in calendar days, unless otherwise stated, and may be extended by mutual agreement in writing by the complainant and the reviewer at the Designated Coordinator and Final Levels.

b) A complainant's failure to submit a grievance, or to submit or appeal it to the next level of procedure within the specified time limits, shall mean that the complainant has withdrawn the grievance or has accepted the last response given in the grievance procedure as the Board's last response.

c) The Board shall, upon being informed of that individual's desire to file a formal grievance, instruct the individual how to receive a copy of this Procedure and the Grievance Form.

Section 975.40 Designated Coordinator Level

a) If an individual desires to file a formal written grievance, the individual shall promptly, but no later than 180 days after the alleged discrimination, submit the grievance to the Designated Coordinator in writing on the Grievance Form prescribed for that purpose. The Grievance Form must be completed in full in order to receive proper consideration by the Designated Coordinator.

b) Upon request, assistance shall be provided by the Board to complete the Grievance Form.

c) The Designated Coordinator, or his or her representative, shall investigate the grievance and shall make reasonable efforts to resolve it. The Designated Coordinator shall provide a written response to the complainant and Executive Director within ten (10) business days after receipt of the Grievance Form.

Section 975.50 Final Level

a) If the grievance has not been resolved at the Designated Coordinator Level to the satisfaction of the complainant, the complainant may submit a copy of the Grievance Form and Designated Coordinator's response to the Executive Director of the Board for final review.

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The complainant shall submit these documents to the Executive Director, together with a short written statement explaining the reason(s) for dissatisfaction with the Designated Coordinator's written response, within five (5) business days after receipt by the complainant of the Designated Coordinator's response.

b) The Executive Director shall appoint a three-member panel to review the grievance at the Final Level. One member so appointed shall be the designated chairman.

c) The complainant shall be afforded an opportunity to appear before the panel. Complainant shall have a right to appoint a representative to appear on his or her behalf. The panel shall review the Designated Coordinator's written response and may conduct interviews and seek advice as it deems appropriate.

d) Upon reaching a concurrence, the panel shall make recommendations in writing to the Executive Director as to the proper resolution of the grievance. All recommendations shall include reasons for such recommendations and shall bear the signatures of the concurring panel members. A dissenting member of the panel may make a recommendation to the Executive Director in writing and shall also sign such recommendation.

e) Upon receipt of recommendations from a panel, the Executive Director shall approve, disapprove or modify the Panel recommendations, shall render a decision thereon in writing, shall state the basis therefor, and shall cause a copy of the decision to be served on the parties. The Executive Director's decision shall be final. If the Executive Director disapproves or modifies the panel recommendations, the Executive Director shall include written reasons for such disapproval or modification.

f) The Grievance Form, the Designated Coordinator's response, the statement of reasons for dissatisfaction, the recommendations of the panel and the decision of the Executive Director shall be maintained in accordance with the State Records Act (Ill. Rev. Stat. 1991, ch. 116, par. 43.3 et seq.), or as otherwise required by law.

Section 975.60 Accessibility

The Board shall ensure that all stages of the Procedure are readily accessible to and usable by individuals with disabilities.

Section 975.70 Case-by-Case Resolution

Each grievance involves a unique set of factors that includes but is not limited to: the specific nature of the disability; the essential eligibility requirements, the benefits to be derived, and the nature of the service, program or activity at issue; the health and safety of others; and, whether an accommodation would constitute a fundamental alteration to the program, service or activity or undue hardship on the Board. Accordingly, termination of a grievance at any level, whether through the granting of relief or otherwise, shall not constitute a precedent on which any other complainants should rely.

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1) Heading of the Part: Pharmacy Practice Act of 1987

2) Code Citation: 68 Ill. Adm. Code 1330

3) Section Numbers: Adopted Action:

1330.10 Amendment
1330.20 Amendment
1330.30 Amendment
1330.40 Amendment
1330.50 Amendment
1330.55 Amendment
1330.70 Amendment
1330.75 New Section
1330.80 Amendment
1330.90 Amendment
1330.91 Amendment
1330.92 Amendment
1330.93 Amendment
1330.94 Amendment
1330.95 Amendment
1330.96 New Section
1330.99 New Section
1330.100 Amendment
1330.110 Amendment
1330.120 Amendment
1330.130 Amendment
1330.140 Amendment

4) Statutory Authority: Pharmacy Practice Act of 1987 (Ill. Rev. Stat. 1991, ch. 111, pars. 4123, 4126-4129, 4131-4138, 4145, 4150 and 4155.1).

5) Effective Date of Rules: December 7, 1992

6) Does this rulemaking contain an automatic repeal date? No

7) Do these Rules contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: December 4, 1992

9) Date Notice of Proposal Published in Illinois Register: April 10, 1992, at 16 Ill. Reg. 5746

10) Has ICAR issued a Statement of Objections to these amendments? No

11) Difference(s) between proposal and final version:

Section 1330.96, pertaining to nonresident mail order pharmacies, was rewritten to address comments and criticisms of the proposed rule amendments which would

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have required nonresident pharmacies to designate a pharmacist-in-charge who is licensed in Illinois.

Instead of requiring an Illinois licensed pharmacist-in-charge, the new language requires and provides for all pharmacies located outside of Illinois that dispense, mail, ship or deliver prescription medications into this State.

The new language worked out with pharmacy interests spells out requirements the mail-order pharmacies must meet to do business in Illinois.

Section 1330.99, pertaining to enteral/parenteral product standards, also was revised to address concerns expressed during the public comment period. The Department agreed to delete the term "enteral" and all regulations pertaining to enteral products.

In Section 1330.10(a)(1), language was added to allow high school students to qualify for certificates of registration as pharmacy technicians.

Since Section 1330.75, pertaining to security requirements, was added in this rulemaking, redundant language was removed from Sections 1330.91(e)(1)(B), 1330.92(e)(1)(B) and 1330.95(e)(1)(B).

Various style and format changes also were made, including those requested by the Administrative Code Division and the Joint Committee on Administrative Rules.

12) Have all the changes agreed upon by the Agency and ICAR been made as indicated in the agreement letter issued by ICAR? No agreement letter was necessary.

13) Will these Rules replace Emergency Rules currently in effect? No

14) Are there any Amendments pending on this Part? No

15) Summary and Purpose of Rules: This rulemaking adds new Sections dealing with (1) security requirements for the prescription area of pharmacies, (2) nonresident (out-of-state) pharmacies which serve Illinois residents and (3) enteral/parenteral product standards.

Various technical, typographical and format changes also are made.

16) Information and questions regarding this amended part shall be directed to:

Department of Professional Regulation
Attention: Jean Courtney
320 West Washington, 3rd Floor
Springfield, Illinois 62786
217/785-0800

The full text of the Adopted Amendments begins on the next page.

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TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONSPART 1330
PHARMACY PRACTICE ACT OF 1987

Section	Application for Certificate of Registration as a Pharmacy Technician
1330.10	<u>Apprenticeship-Techician-License</u>
1330.20	Approval of Pharmacy Programs
1330.30	Graduates of Programs Not Approved Pursuant to the Provisions of Section 1330.20
1330.40	Application for Examination
1330.50	Examination for Licensure
1330.55	Application for Licensure on the Basis of Examination
1330.60	Reciprocity
1330.70	Definitions
1330.75	<u>Security Requirements</u>
1330.80	Violations
1330.90	Divisions of Pharmacy Licenses
1330.91	Division I Pharmacies
1330.92	Division II Pharmacies
1330.93	Division III Pharmacies
1330.94	Division IV Pharmacies
1330.95	Division V Pharmacies
1330.96	Nonresident Pharmacies
1330.99	Parenteral Product Standards
1330.100	Application For a Pharmacy License
1330.110	Granting Variances
1330.120	Renewals
1330.130	Restoration
1330.140	Continuing Education

AUTHORITY: Implementing the Pharmacy Practice Act of 1987 (Ill. Rev. Stat. 1991, ch. 111, par. 4121 et seq.) and authorized by Section 60(7) of The Civil Administrative Code of Illinois (Ill. Rev. Stat. 1991, ch. 127, par. 60(7)).

SOURCE: Rules and Regulations promulgated for the Administration of the Illinois Pharmacy Practice Act, effective August 20, 1975; amended March 8, 1977; amended at 4 Ill. Reg. 1234, effective July 11, 1980; amended at 5 Ill. Reg. 2997, effective March 11, 1981; codified at 5 Ill. Reg. 11049, emergency amendment at 6 Ill. Reg. 916, effective January 6, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 7448, effective June 15, 1982; amended at 7 Ill. Reg. 6496, effective June 30, 1983; amended at 9 Ill. Reg. 16918, effective October 23, 1985; amended at 10 Ill. Reg. 21913, effective

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December 17, 1986; transferred from Chapter I, 68 Ill. Adm. Code 330 (Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1330 (Department of Professional Regulation) pursuant to P.A. 85-225, effective January 1, 1988, at 12 Ill. Reg. 2957; amended at 12 Ill. Reg. 17394, effective October 14, 1988; amended at 16 Ill. Reg. 19811, effective December 7, 1992

Section 1330.10 Application for Certificate of Registration as a Pharmacy Technician Apprenticeship-Techician-License

a) An applicant for a certificate of registration as a pharmacy technician license shall file an application on forms supplied by the Department of Professional Regulation (Department) together with:

- 1) ~~A recent photograph not larger than 2-1/2 by 2-1/2 inches;~~
- 2) 1) A copy of high school diploma or its equivalent, or proof of current enrollment in a high school program; and
- 2) ~~An affidavit, completed and signed by a registered pharmacist, stating that the applicant is employed or is expected to be employed in a pharmacy; and~~
- 4) 2) The fee required by Section 25 of the Pharmacy Practice Act of 1987 (the Act) (Ill. Rev. Stat. 1991 1987, ch. 111, par. 4121 et seq.) pursuant to Section 27(A)(1) 4052.4).
- b) Pursuant to Section 9 of the Act, an applicant may assist a registered pharmacist for 60 days upon submission of an application to the Department in accordance with subsection (a) above.
- b) ~~A complete application will be approved and an applicant so notified within 30 days.~~
- c) ~~If the application is incomplete, the applicant will be so notified within 30 days.~~

(Source: Amended at 16 Ill. Reg. 19811, effective December 7, 1992)

Section 1330.20 Approval of Pharmacy Programs

~~To be eligible for examination as a registered pharmacist, an applicant shall have graduated from a first professional degree program in pharmacy from a school, college, university, or the pharmacy department of any university or other institution recognized and approved by the Department and shall have complied with the other provisions of Section 6 of the Pharmacy Practice Act (Ill. Rev. Stat. 1983, ch. 111, par. 4001, et seq.) (The Act).~~

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- a) The Department shall, upon the recommendation of the State Board of Pharmacy (the Board), approve a pharmacy program in a school or college or department of pharmacy of a university or other institution as reputable and in good standing if, ~~during the time of the applicant's enrollment and at his graduation, it meets~~ the following minimum criteria:

- 1) ~~The educational institution~~ is legally recognized and authorized, through appropriate agencies such as a ministry of education or higher education governing board, by the jurisdiction in which it is located to confer a first professional degree in pharmacy;
- 2) Has ~~a~~ faculty which comprises a sufficient number of full-time instructors to make certain that the educational obligations to the student are fulfilled. Their faculty must have demonstrated competence in their area of teaching as evidenced by appropriate degrees from professional colleges or institutions in disciplines reflective of the curricular requirements. (All of the pharmacist members of the clinical faculty and a majority of the faculty in that pharmaceutical sciences should be licensed pharmacists in that jurisdiction. The clinical faculty should be active practitioners.);
- 3) Has a curricular offering of post-secondary instruction totalling at least five (5) academic years, including any preprofessional education requirements, and requiring ~~a minimum of at least~~ the following subject areas:

- A) General Education (a minimum of 30 semester hours or its equivalent in courses in the humanities and behavioral, and social ~~and sciences~~); ~~humanities areas of knowledge~~
- B) Preclinical Sciences (~~these~~ courses in the physical and biological sciences and mathematics which are prerequisites to professional studies and training. Course work should include general chemistry, organic chemistry, general biology, microbiology, and mathematics);
- C) Professional Studies and Training (~~includes courses and experience to develop the student in the following areas~~):
 - i) ~~Biomedical sciences, which include anatomy, physiology, immunology, biological chemistry, pathology, and biostatistics;~~
 - ii) ~~Pharmaceutical sciences, which include pharmaceutical or medicinal chemistry, pharmacetics or dosage form design and evaluation, pharmacokinetics, synthetic and natural drug product chemistry, pharmacology, pharmaceutical~~

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administration and the social and behavioral sciences in pharmacy;

- iii) ~~Clinical sciences and practice, which include clinically applied courses based on the biomedical and pharmaceutical sciences such as didactic courses in clinical foundations, disease processes and diagnoses, clinical pharmacology and therapeutics, and drug information research and literature retrieval;~~ and
 - iv) ~~Externship and clerkship: a minimum of 400 direct contact hours in clerkship and externship experience. These experiences should minimally include supervised training in inpatient environments providing for interdisciplinary experiences with other health professionals and including distributive aspects of pharmacy practice;~~
 - 4) Has essential facilities including, but not limited to, administrative and faculty offices, teaching and research laboratories, lecture rooms, conference rooms, student activities areas, and service, and other programmatic support areas;
 - 5) Has a comprehensive library which contains a contemporary collection ~~of the breadth and depth of periodicals, texts and reference books and textual literatures relevant to the biomedical, pharmaceutical and clinical aspects of health care and its systems of delivery;~~
 - 6) Has clinical facilities adequate in number and quality and with appropriate supervision to deliver the clinical clerkships and externships of the curriculum. Such facilities shall be available in inpatient and outpatient environments, including patient care areas of health care institutions, hospital pharmacies, and community pharmacies; and
 - 7) Maintains permanent retrievable and auditable student records that summarize the credentials for admission, attendance, grades and other records of performance for each student enrolled in the program.
- b) In determining whether a school or college should be approved, the Department shall take into consideration, but not be bound by, accreditation standards established by the American Council on Pharmaceutical Education.

- c) An applicant from a pharmacy program that has not been evaluated shall cause to be forwarded to the Department documentation concerning the criteria in this Section. If the documentation is insufficient to evaluate

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the program, the applicant ~~he~~ will be required to provide such additional information as necessary. Once the Department has received the documentation or after 6 months have elapsed from the date of application, whichever ~~is~~ comes first, the Board will evaluate the program based on all documentation received from the school and any additional information the Department has received which will enable the Board to evaluate the program based on the criteria specified in this Section. In the event the program is not approved as reputable and in good standing by the Department, applicants from the program must successfully complete the preliminary diagnostic examination and all such other requirements as set forth in the Act and this Part.

d) The Director shall, upon ~~a~~ written recommendation submitted by the Board, withdraw, suspend or place on probation the approval of a pharmacy program when the Director determines, based upon the report of the Board, the quality of the program has been materially affected. In determining the existence of a material effect, the Board and the Director shall consider the existence of any of the following causes:

- 1) Gross or repeated violations of any the provision of the Act;
- 2) Gross or repeated violations of any provision ~~portion~~ of this Part;
- 3) Fraud or dishonesty in furnishing documentation for evaluation of the pharmacy program; or
- 4) Failure to continue to meet the established criteria for an approved pharmacy program as set out in this Section.

e) When approval of a pharmacy program ~~whose approval~~ is being reconsidered by the Department, ~~shall be given~~ written notice shall be given at least 15 days prior to any recommendation by the Board, and the officials in charge may either submit written comments or request an interview before the Board.

f) The Department, upon the recommendation of the Board, has determined that all pharmacy programs accredited by the American Council on Pharmaceutical Education as of July 1, 1992 ~~1984~~, meet the minimum criteria set forth in paragraph (a) above and are, therefore, approved. The Board shall review the list of accredited programs published each year on July 1 by the American Council on Pharmaceutical Education in order to determine whether ~~that~~ the programs continue to meet the minimum criteria.

(Source: Amended at 16 Ill. Reg. 19811, effective December 7, 1992)

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Section 1330.30 Graduates of Programs Not Approved Pursuant to the Provisions of Section 1330.20

Applicants who are graduates of a first professional degree program in pharmacy of at least 5 academic years that is not approved pursuant to the provisions of Section 1330.20 shall submit proof of:

- a) ~~p~~Passage of the preliminary diagnostic examination; (Foreign Pharmacy Graduate Equivalency Exam (FPGEE)) designed to determine equivalence of education to programs approved pursuant to Section 1330.20;
- b) ~~p~~Passage of the Test of English as a Foreign Language (TOEFL) examination with a score of at least 550; and,
- c) ~~e~~Completion of a course of clinical instruction approved by the Board as required by Section 6 of the Act (Ill. Rev. Stat. 1985, ch. 117, par. 4007). The course of clinical instruction shall be conducted under the supervision of a pharmacist registered in the State of Illinois. The applicant shall obtain prior approval of the Board before enrolling in the course of clinical instruction. In approving a course of clinical instruction, the Board shall consider, but not be limited to, whether ~~the~~ such course:

- 1) ~~e~~Enhances development of effective communication skills by enabling consultation between the applicant, the prescriber and the patient;
- 2) ~~p~~Promotes development of medical data retrieval skills through exposure to patient medical charts, patient medication profiles and other similar sources of patient information;
- 3) ~~p~~Promotes development of the applicant's ability to research and analyze drug information literature; and
- 4) ~~p~~Promotes development of the applicant's ability to interpret laboratory test and physical examination results.

(Source: Amended at 16 Ill. Reg. 19811, effective December 7, 1992)

Section 1330.40 Application for Examination

- a) An applicant for examination shall apply on forms approved by the Department, at least 30 days prior to an examination date. The application shall include:

1) ~~a recent photograph not larger than 2-1/2 by 2-1/2 inches;~~

2) 1) Either:

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- A) ~~e~~Certification of graduation from a first professional degree program in pharmacy ~~program~~ totalling at least 5 academic years. Such program must be approved by the Department upon recommendation of the Board of Pharmacy pursuant to the provisions of Section 1330.20; or
- B) Certification, in the case of an applicant applying in the last half-year of the curriculum, ~~certification~~ from the dean of an approved pharmacy program indicating that the applicant is expected to graduate successfully ~~complete the curriculum; however, the applicant shall not be allowed to sit for the examination until the Department has received certification of graduation, as provided in subparagraph (A) of this paragraph.~~ or It is the responsibility of the individual school to notify the Department of all the students who do not graduate; or
- C) ~~p~~Proof of compliance with Section 1330.30 of this Part if the applicant is a graduate of a program not approved pursuant to the provisions of Section 1330.20 of this Part.
- 2) The fee as required by Section 27(B)(2) 25 of the Act, ~~(Ill. Rev. Stat. 1982, ch. 111, par. 4052.4)~~
- b) An applicant whose application is complete shall be scheduled for the next available examination ~~and so notified within 10 days prior to the examination.~~
- c) If the applicant has successfully completed the Theoretical and Applied Pharmaceutical Sciences examination and/or the Federal Law examination recognized by the Department in another jurisdiction, the applicant may have examination scores submitted to the Department from the reporting entity. ~~If the application is incomplete, the applicant shall be so notified within 15 days.~~

(Source: Amended at 16 Ill. Reg. 19811, effective December 7, 1992)

Section 1330.50 Examination for Licensure

- a) The examination for licensure as a registered pharmacist shall be divided into two portions:
- 1) Theoretical and Applied Pharmaceutical Sciences portion which shall test the following subjects:
 - A) Medicinal Chemistry;
 - B) Pharmacology;
 - C) Pharmacy;
 - D) Pharmaceutical Calculations;

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- E) Interpreting and Dispensing Prescription Orders;
 - F) Compounding Prescription Orders; and
 - G) Monitoring Drug Therapy.
- 2) Pharmaceutical Jurisprudence portion which consists of two parts and shall test:
- A) Illinois ~~law~~ Law related to pharmacy practice; and
 - B) Federal United States Law related to pharmacy practice.
- b) An applicant must score a minimum of 75 on the Theoretical and Applied Pharmaceutical Sciences portion and a minimum of 75 on the combined Pharmaceutical Jurisprudence portion in order to successfully pass the examination for licensure. An applicant who scores 75 or greater in either the Theoretical and Applied Pharmaceutical Sciences portion or on either of the combined ~~the~~ Pharmaceutical Jurisprudence Portions will not thereafter be required to retake that portion of the examination. The reporting of scores to the candidates shall include the score obtained on the Theoretical and Applied Pharmaceutical Sciences, the score obtained on the Federal Law portion, a pass or fail score on the Illinois Law portion and the combined score consisting of the Federal Law portion and the State Law portion.
- c) Any applicant who fails any portion or all portions ~~either or both portions~~ of the registered pharmacist examination three times in any jurisdiction will be required to furnish proof of remedial education in an approved program on the subject(s) of the portion failed in the third examination. Proof of additional remedial education in an approved program shall also be furnished each time the applicant fails any portion of the examination three times after undergoing remedial education, (i.e., after the sixth exam, ninth exam, etc.).
- d) Pursuant to Section 7 of the Act, an applicant may work as a registered pharmacist for up to 60 days prior to the issuance of a certificate of registration upon receipt of a notice from the Department that the examination was successfully completed.
- e) For the purposes of this Section remedial training shall be defined as:

- 1) A course of study of at least 30 classroom hours in the subject(s) of the portion(s) failed three times in an approved Pharmacy college; or;
- 2) A tutorial or preceptorship with a faculty member in an approved Pharmacy College or another pharmacist as a preceptor. Such course of instruction must be deemed by the Board to be

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substantially equivalent to subsection (1) above and approved by the Department. Any remedial training must be approved by the Board and the Department prior to commencement.

- e) The provisions of this Section shall apply to all applicants upon adoption without regard to where the applicant is in the application process.

(Source: Amended at 16 Ill. Reg. 19811, effective December 7, 1992)

Section 1330.55 Application for Licensure on the Basis of Examination

- a) An applicant for licensure on the basis of examination shall submit to the Department a properly completed application on forms provided by the Department, along with the following:

1) ~~One recent photograph, not larger than 2-1/2 by 2-1/2 inches;~~

2) ~~The fee of \$25 as required by Section 27(B)(1) 25 of the Act (Ill. Rev. Stat. 1983, ch. 111, par. 4052-1); and~~

2) Certification of graduation from an approved program of pharmacy as set forth in Section 1330.20; and

3) Proof of successful completion of the examination approved by the Department specified in Section 1330.50 of this Part.

- b) Upon receipt of the items required in subsection (a) of this Section, and upon the verification by the Department that the candidate meets all of the requirements for licensure as a Registered Pharmacist, the Department shall issue a license to practice pharmacy or notify the applicant of the reason for denial ~~and the candidate a licensure certificate within no more than ten (10) working days from the day of receipt of the items required in subsection (a) above.~~

(Source: Amended at 16 Ill. Reg. 19811, effective December 7, 1992)

Section 1330.70 Definitions

"Authentication of Product History" means, but is not limited to, identifying the purchasing source, the ultimate disposition and any intermediate handling of any component of a radiopharmaceutical, diagnostic agent or device.

"Deliver" means the actual, constructive or attempted transfer of possession of a prescription medication.

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"Dispense" means to interpret, select the prescribed product, prepare, and/or deliver a prescription medication to an ultimate consumer or to a person authorized to receive the prescription medication by or pursuant to the lawful order of a practitioner, including the compounding, packaging, computer entry and/or labeling necessary for delivery and any recommending or advising and counseling concerning the contents, and therapeutic values, and uses and any precautions, warnings and/or advice concerning consumption thereof.

"Distribute" means to deliver, other than by dispensing, a prescription medication.

"Division I pharmacy" is any pharmacy which engages in general community pharmacy practice and which is open to, or offers pharmacy service to, the general public.

"Division II pharmacy" is any pharmacy whose primary pharmacy service is provided to patients or residents of facilities licensed under the Nursing Home Care Reform Act of 1979 (Ill. Rev. Stat. 1991 1987, ch. 111 1/2, par. 4151 - 4153 et seq.) or the Hospital Licensing Act (Ill. Rev. Stat. 1991 1989, ch. 111 1/2, par. 142 et seq.), or the University of Illinois Hospital Act "AN ACT in relation to the founding and operation of the University of Illinois Hospital and the conduct of University of Illinois health care programs" (Ill. Rev. Stat. 1991 1989, ch. 23, par. 1371 et seq.) and which is not located in the facility it serves.

"Division III pharmacy" is any pharmacy which is located in a facility licensed under the Nursing Home Care Reform Act of 1979 or the Hospital Licensing Act, or "AN ACT in relation to the founding and operation of the University of Illinois Hospital and the conduct of University of Illinois health care programs" the University of Illinois Hospital Act or a facility which is operated by the Department of Mental Health and Development Disabilities or the Department of Corrections, and which provides pharmacy services to residents or patients of the facility, as well as employees, prescribers and students of the facility.

"Division IV pharmacy" is any pharmacy which provides and/or offers for sale radiopharmaceuticals.

"Division V pharmacy" is any pharmacy which holds licenses in Division II or Division III which also provides pharmacy services to the general public, or is any pharmacy which is located in or whose primary pharmacy service is to ambulatory care facilities or schools of veterinary medicine or other such institution or facility (e.g., a university infirmary).

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"Gross immorality" under Section 7-6 of the Act (Ill. Rev. Stat. 1987, ch. 111, par. 4010) means and includes any act of practice related to the practice of pharmacy which is wilful, wanton, repeated, or flagrant and likely to result in harm to an individual. In determining what constitutes gross immorality, the Board shall consider, but shall not be limited to, the following standards as they relate to the person who is the subject of the proposed disciplinary action:

repetitiously committing an act or acts, which are of a flagrant and obvious nature so as to constitute conduct of such a distasteful nature that accepted codes of behavior or codes of ethics are breached;

repetitiously committing an act or acts in a relationship with a patient so as to violate common standards of decency or propriety;

wilfully violating or knowingly assisting in the violation of any law relating to the use of habit-forming drugs;

repetitiously dispensing prescription drugs, without a written or oral prescription;

wilfully preparing or signing false statements in order to induce payment for pharmacy services by the Department of Public Aid, or any other state or federal department, agency or governmental body;

the Board shall as well be guided by practice standards of the American Pharmaceutical Association/American Association of Colleges of Pharmacy Standards of Practice for the Profession of Pharmacy, published March 1979, which include no later editions or amendments, and which are herein incorporated by reference, in determining what is gross immorality; however, non-compliance with these professional standards shall not alone be considered acts of gross immorality unless these acts are of a flagrant, glaringly obvious nature constituting a substantial departure from these professional standards.

"Medication Order" means an order which is issued by a physician for a resident or patient of a facility licensed under the Nursing Home Care Reform Act of 1979 or the Hospital Licensing Act.

"Nonresident Pharmacy" means a pharmacy that is located outside this State which ships, delivers, dispenses or distributes into Illinois by any means any drugs, medicines, pharmaceutical services or devices requiring a prescription.

"Nuclear Pharmacist" means a pharmacist who provides radiopharmaceutical services and has satisfied the requirements of Section 1330.94(i).

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"Pharmacist" means a registered pharmacist or registered assistant pharmacist.

"Radiopharmaceutical" means any substance defined as a drug in Section 3 (b) of the Pharmacy Practice Act which exhibits spontaneous disintegration of unstable nuclei with the emission of nuclear particles or photons and includes any nonradioactive reagent kit or nuclide generator which is intended to be used in the preparation of any such substance but does not include drugs such as carbon-containing compounds of potassium-containing salts which contain trace quantities of naturally occurring radionuclides. Radio-pharmaceuticals include radioactive biological products as defined in the Federal Food, Drug and Cosmetic Act (21 U.S.C. 301 et seq. (1988)) and regulations promulgated thereunder.

"Radiopharmaceutical Quality Assurance" means, but is not limited to, the performance of appropriate chemical, biological, and physical tests on potential radiopharmaceuticals, and the interpretation of the resulting data to determine their suitability for use in humans and animals, including internal test assessment, authentication of product history and the keeping of proper records in these regards.

"Radiopharmaceutical Service" means the compounding, dispensing, labeling and delivery of radiopharmaceuticals; the participation in radiopharmaceutical selection and radiopharmaceutical utilization reviews; the proper and safe storage and distribution of radiopharmaceuticals as determined by the Illinois Department of Nuclear Safety; the maintenance of radiopharmaceutical quality assurance; the responsibility for advising, where necessary or required, of diagnostic and therapeutic values, hazards and use of radioactive pharmaceuticals; and the offering or performance of those acts, services, operations or transactions necessary in the conduct, operation, management and control of a Division IV Pharmacy.

"Registrant" means a registered pharmacist, registered assistant pharmacist, or a registered pharmacy technician.

"Ultimate consumer" means the person for whom a drug is intended.

"Unprofessional conduct" under Section 30 of the Act shall include, but not be limited to, any act of practice related to the practice of pharmacy which is wilful, wanton, repeated, or flagrant and likely to result in harm to an individual. In determining what constitutes unprofessional conduct, the Board shall consider, but shall not be limited to, the following standards as they relate to the person who is the subject of the proposed disciplinary action:

Violations set forth in paragraph 4150(a) of the Act;

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Repeated commission of an act or acts that are of a flagrant and obvious nature so as to constitute conduct of such a distasteful nature that accepted codes of behavior or codes of ethics are breached;

Repeated commission of an act or acts in a relationship with a patient so as to violate common standards of decency or propriety;

Wilful violation or knowing assistance in the violation of any law relating to the use of habit-forming drugs;

Wilful preparation or signing false statements in order to induce payment for pharmacy services by the Department of Public Aid, or any other local, state or federal department, agency or governmental body, or any private insurance program; and

Violating practice Standards of the American Pharmaceutical Association/American Association of Colleges of Pharmacy Standards of Practice for the Profession of Pharmacy, published March 1979, which include no later editions or amendments, and which are herein incorporated by reference, in determining what is unprofessional conduct; however, non-compliance with these professional standards shall not alone be considered an act of unprofessional conduct unless these acts are of a flagrant, glaringly obvious nature constituting a substantial departure from these professional standards.

(Source: Amended at 16 Ill. Reg. 19811, effective December 7, 1992)

Section 1330.75 Security Requirements

- a) Whenever the pharmacy (prescription area) is not occupied by a registrant, the pharmacy (prescription area) must be secured and inaccessible to non-licensed persons (employees and public). This may be accomplished by measures such as walling off, locking doors, electronic security equipment, as approved by the Department.
- b) Schedule II drugs shall be secured in rooms, vaults, safes, cabinets, etc., under lock, whether by key, combination or electronically.
- c) Schedule II drugs shall not be distributed among regular stock.
- d) All secured Schedule II drugs shall be accessible only when a pharmacist is physically present.
- e) A pharmacist shall be physically present whenever Schedule II drugs are not secured and are to be dispensed.

(Source: Added at 16 Ill. Reg. 19811, effective December 7, 1992)

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Section 1330.80 Violations

a) Aa-registrant shall not:

- 1) Permit the dispensing or distributing of a prescription medication to an ultimate consumer unless a registered pharmacist is physically present, on duty and available for consultation.
- 2) Engage in a professional association, with any place defined as a drug store or pharmacy in the Act, wherein the practice of pharmacy is engaged in by any person who is not authorized to practice ~~to-~~do~~-so~~ under the Act or that is not operated and conducted in compliance with the Act.
- 3) Compound, sell or offer for sale, or cause to be compounded, sold or offered for sale, any drug, medicine, poison, chemical or pharmaceutical preparation, under or by a name recognized in the United States Pharmacopoeia/National Formulary for internal or external use which differs from standard of strength, quality, purity, or bioavailability as determined by the tests specified in the United States Pharmacopoeia/National Formulary which is official at the time of such compounding, sale or offering for sale.
- 4) Compound, sell or offer for sale, or willfully cause to be compounded, sold or offered for sale, any drug, medicine, poison, chemical or pharmaceutical preparation, the strength or purity of which shall fall below the professed standard of strength or purity under which it is sold.
- 5) Purchase prescription drugs from any source that fails to meet provisions of the Wholesale Drug Distribution Licensing Act (Ill. Rev. Stat. 1991, ch. 111, pars. 8301-1 et seq.)
 - b) No registrant shall violate any portions of the following laws, or the such rules or regulations promulgated pursuant thereto, which relate to the practice of pharmacy:
 - 1) Illinois Food, Drug and Cosmetic Act, (Ill. Rev. Stat. 1991 1983, ch. 56 1/2, pars. 501 et seq.)
 - 2) "~~AA-Act-to-regulate-the-possession,-delivery,-sale,-or-exchange-of-hypodermic-syringes,-hypodermic-needles,-and-similar-instruments-,-commonly-known-as-the~~ The Hypodermic Syringes and Needles Act" (Ill. Rev. Stat. 1991 1983, ch. 38, pars. 22-50 et seq.)
 - 3) Federal Food, Drug and Cosmetic Act-[21 U.S.C. 301 et seq. (1976)].

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- 4) Federal Controlled Substances Act [21 U.S.C. 301 et seq. (1976)].
- 5) The Illinois Controlled Substances Act (Ill. Rev. Stat. 1991 1983, ch. 56 1/2, pars. 1101 et seq.).
- 6) Cannabis Control Act (Ill. Rev. Stat. 1991 1983, ch. 56 1/2, pars. 701 et seq.).
- 7) Illinois Poison Prevention Packaging Act (Ill. Rev. Stat. 1991 1983, ch. 111 1/2, pars. 291 et seq.).
- 8) Poison Prevention Packaging Act of 1970 [15 U.S.C. 1471, et seq. (1976)].
- 2) Wholesale Drug Distribution Licensing Act (Ill. Rev. Stat. 1991, ch. 111, pars. 8301-1 et seq.).

(Source: Amended at 16 Ill. Reg. 19811, effective December 7, 1992)

Section 1330.90 Divisions of Pharmacy Licenses

- a) Each individual, partnership, corporation or any other applicant for a pharmacy license shall indicate, on forms supplied by the Department, the division designation(s) for which a license is being requested.
- b) The Board shall have the authority to review and make recommendations to the Director regarding the appropriate division designation of an applicant.

c) A pharmacy, whose scope of services requires it to be placed in more than one division designation, shall be issued one pharmacy license for each division designated and shall be charged the appropriate fee as set forth in Section 27(C) of the Act, for each division license issued. ~~which designates a different pharmacist-in-charge for each Division as established by Section 8(a) of the Act and shall be charged the appropriate fee, as set forth in Section 27(e) of the Act, for each division license issued.~~

d) A pharmacy shall designate a different pharmacist-in-charge for each Division as established by Section 15 of the Act and shall comply with the designated Division requirements of this Part. ~~A pharmacy must comply with the provisions of this Part which apply to each of the division designation(s) under which it is authorized to provide pharmaceutical services.~~

(Source: Amended at 16 Ill. Reg. 19811, effective December 7, 1992)

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Section 1330.91 Division I Pharmacies

- a) Retail pharmacies which engage in general community pharmacy practice and are open to, or offer pharmacy service to, the general public shall, in addition to any other requirements of the Act and this Part, comply with Section 1330.91. A retail pharmacy which, in addition to offering pharmacy services to the general public, provides pharmacy services to an institution or facility listed in Sections 1330.92(a) need not register as a Division II pharmacy if the sales do not exceed 49% of total sales, but the such pharmacy shall comply with the requirements of Sections 1330.92(b), (c) and (d).

b) Recordkeeping Requirements for Filling Prescriptions

- 1) Every written and oral prescription filled or refilled shall contain the handwritten name or initials of the person authorized to practice pharmacy under the provisions of the Pharmacy Practice Act who fills or refills the prescription ~~same~~. Additionally, the label affixed to the drug container must indicate the initials of the person(s) authorized to practice pharmacy in the State of Illinois who filled, or refilled the prescription. No prescription may be filled or refilled for a period in excess of one (1) year from the date of the original issuance of the prescription by the prescriber.

- 2) Whenever a prescription, written or oral, is filled, or refilled, by a registered pharmacy technician under the supervision of a pharmacist, the prescription ~~same~~ shall contain the handwritten names or initials of both the supervising pharmacist and the registered pharmacy technician who fills, or refills the prescription ~~same~~. Additionally, the label affixed to the drug container must indicate the ~~same~~ initials of the pharmacy technician and pharmacist.

3) Refilling a Prescription

- A) Each refilling of a prescription shall be entered on the prescription or on another appropriate, uniformly maintained, readily retrievable record, which indicates by the number of the prescription the following information:

- i) ~~†~~The name and dosage form of the drug;
- ii) ~~†~~The date of each refilling;
- iii) ~~†~~The quantity dispensed;
- iv) ~~†~~The name or initials of the pharmacist and the pharmacy technician, if applicable, in each refilling; and

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- v) ~~¶~~The total number of refills for the prescription.
- B) If the pharmacist merely dates and signs or initials the prescription, he/she shall be deemed to have dispensed a refill for the full face amount of the prescription.
- 4) Presentation of a written prescription copy or prescription label shall be for information purposes only and has no legal status as a valid prescription order. The recipient pharmacist of the ~~such~~ copy or prescription label shall contact the prescribing practitioner to obtain a new prescription order ~~for authorization to dispense the prescription.~~
- 5) A pharmacist providing a copy of a prescription to an ultimate consumer for the purpose of transfer or any other purpose shall cancel the face of the original prescription and record the date the copy is issued, to whom issued, and his/her signature on the face of the original prescription. Copies of prescriptions shall be marked "For Information Purposes Only" and require a new prescription from the prescriber ~~authorization to fill.~~
- 6) Subject to Section 18 of the Act, any information which is required to be kept pursuant to this Section may be recorded and stored in a computerized pharmaceutical information system which meets the standards of performance required by the regulations of the Drug Enforcement Administration (21 CFR 1306) (1988), and which contain no further amendments or editions, and shall include the ~~capability to:~~
- A) Retrieve the ~~retrieval of~~ original prescription order information for those prescription orders which are currently authorized for refilling;
- B) ~~Retrieve retrieval of~~ the current prescription orders which shall, at a minimum, ~~initially~~ include name of drug, date of refill, quantity dispensed, name and identification code of the manufacturer in the case of a generically written prescription or a generic interchange, name or initials of the dispensing pharmacist and technician for each refill, and the total number of refills dispensed to date;
- C) Supply documentation of the correctness ~~corrections~~ of refill information entered ~~into a system~~ that must be provided by the pharmacist using the system by way of a hard copy printout of each day's refill data which has been verified, dated, and signed by the dispensing pharmacist. This printout must include for each prescription refilled at least the following information:
- i) ~~¶~~The name and dosage form of the drug;

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- ii) ~~¶~~The date of each refilling;
- iii) ~~¶~~The quantity dispensed;
- iv) ~~¶~~The name or initials of the pharmacist in each refilling and the pharmacy technician, if applicable;
- v) ~~¶~~The patient's name;
- vi) ~~¶~~The prescriber's name; and
- vii) ~~¶~~The prescription number for the prescription.
- D) All refill data shall be maintained by the pharmacy on the premises for five years in accordance with Section 18 of the Act. The hard copy printout required in subsection (C) above shall be maintained for two years. The data for the remaining three years shall be maintained at the pharmacy either by hard copy printout, microfiche or microfilm. If data is stored other than by the hard copy printout, the pharmacy shall have the appropriate equipment on the premises to provide readily retrievable information in the course of an on-site inspection. A hard copy printout shall be provided to the ~~Department~~ upon request ~~by the Department.~~
- c) Transfer of Prescription Information
- 1) A prescription may be transferred between pharmacies for the purpose of refill dispensing provided that:
- A) The transferor pharmacist invalidates the prescription on file and records to whom transferred, the date of issuance of such copy and the name of the transferor pharmacist issuing the transferred prescription order; and
- B) The transferee pharmacist, upon receiving the ~~such~~ prescription directly from another pharmacist, records the following:
- i) ~~¶~~The name, address, and original prescription number of the pharmacy from which the prescription was transferred;
- ii) ~~ea~~l information constituting a prescription order including the following: name of the drug, original amount dispensed, date of original issuance of the prescription and number of valid refills remaining; and

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- C) ~~§~~The transferee pharmacist informs the patient that the original prescription has been cancelled at the pharmacy from which it has been transferred.
- 2) A prescription for Schedule III, IV and V drugs may be transferred only from the original pharmacy and only one time for the purpose of refill dispensing and may not be transferred further.
- 2~~+~~ 3) Computerized systems must satisfy all information requirements of subsection (c) above, including invalidation of the original prescription when transferred between pharmacies accessing the same prescription records or between pharmacies of the same ownership. If those systems that access the same prescription records have the capability of cancelling the original prescription, pharmacies using such a system are exempt from the requirements of subsection (c) if the transferred prescription can always be tracked to the original prescription order from the prescribing practitioner and the original prescription can be produced.
- d) Staffing of the Pharmacy
- 1) Whenever the hours of the pharmacy (prescription department) differ from those of the establishment in which the pharmacy is located, there shall be compliance with the following:
- A) ~~§~~The schedule during which the practice of pharmacy is carried on in the ~~such~~ pharmacy shall be conspicuously displayed.
- B) ~~when the pharmacy is closed, the public and any employees not registered under the Act are to be prohibited access to the area;~~
- C) ~~W~~Whenever an establishment housing a pharmacy is open and a pharmacist is not present and available to provide pharmaceutical services as defined in Section 3 of the Act, a sign shall be conspicuously displayed stating in all capital letters: PHARMACIST NOT ON DUTY. STATE LAW PROHIBITS FILLING OF PRESCRIPTIONS IN THE ABSENCE OF A PHARMACIST. ~~Pharmacist not on duty; state law prohibits filling of prescriptions in the absence of a pharmacist.~~
- C) No prescription may be dispensed when a pharmacist is not physically present in the establishment and on duty.
- 2) The pharmacy must provide pharmaceutical services, as defined in Section 3 of the Act, to the public a minimum of 40 ~~forty~~ hours per week. A pharmacy is considered providing Pharmaceutical Services when a pharmacist is physically present in the establishment and available for consultation.

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- e) Pharmacist-in-Charge
- 1) No pharmacy shall be granted a certificate of licensure without a pharmacist being designated on the pharmacy license as pharmacist-in-charge. No pharmacist shall ~~may~~ be designated as a pharmacist-in-charge on more than one pharmacy license. The responsibilities of such pharmacist-in-charge shall include:
- A) ~~s~~Supervision of all ~~the~~ activities of all employees as they relate to the practice of pharmacy;
- B) ~~e~~Establishment and supervision of the method and manner for storage and safekeeping of pharmaceuticals, including maintenance of security provisions to be used when the pharmacy is closed, ~~as set forth in Section 1330.75; and the following security provisions shall be utilized:~~
- i) ~~there shall be no public access to the pharmacy; and~~
- ii) ~~all drugs shall be locked and only accessible to a registrant~~
- C) ~~e~~Establishment and supervision of the recordkeeping system for the purchase, sale, delivery, possession, storage and safekeeping of drugs.
- 2) The operations of the pharmacy are the responsibility of the pharmacist-in-charge, and the establishment and maintenance of security provisions are the dual responsibility of the pharmacist-in-charge and the owner of the pharmacy.
- 3) Within ten (10) days of the change of a pharmacist-in-charge, the Department shall be so notified in writing by the departing pharmacist-in-charge.
- 4) In addition to notifying the Department within 10 days, the departing pharmacist-in-charge shall, on the effective date of the change, inventory the following controlled substances:
- A) ~~a~~All Schedule II drugs, as defined in the Illinois Controlled Substance Act, by actual physical count; and
- B) ~~a~~All other scheduled drugs, as defined in the Illinois Controlled Substance Act, by estimated count.
- 5) ~~The~~ ~~Such~~ inventory shall constitute, for the purpose of this Section, the closing inventory of the departing pharmacist-in-charge and the initial inventory of the incoming pharmacist-in-charge. This inventory

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- B) ~~d~~ Date of order;
- C) ~~n~~ Name, strength and dosage form of drug, or description of the medical device ordered;
- D) ~~q~~ Quantity dispensed (a separate record should be maintained when the quantity billed differs from the quantity dispensed (e.g., unit dose transfer systems));
- E) ~~d~~ Directions for use;
- F) ~~q~~ Quantity billed;
- G) ~~p~~ Prescriber's name;
- H) ~~p~~ Prescriber's signature and/or DEA number where required for controlled substances; and
- I) ~~t~~ The drug name and identification code or the manufacturer in case of a generically ordered medication or a generic interchange.
- 4) The label affixed to the drug container must indicate the initials of the pharmacist who approves the dispensing of the medication order. However, if the pharmacy is utilizing a drug distribution system which re-issues the same label, a separate record must be maintained which identifies the pharmacist approving each dispensing of the prescription or medication order.
- 5) No prescription may be filled or refilled for a period in excess of one (1) year from the date of the original issuance of the prescription or order by the prescriber.
- 6) Subject to Section 18 of the Act, any information which is required to be kept pursuant to this Section may be recorded and stored in a computerized pharmaceutical information system which meets the standards of performance required by the regulations of the Drug Enforcement Administration (21 CFR 1306) (1988), and which contain no further amendments or editions, and shall include the capability to:
- Retrieve the ~~retrieval~~ of original medication order information for those medication orders which are currently authorized;
 - Retrieve ~~retrieval~~ of the current history of medication orders which shall, at a minimum, ~~initially~~ include the name of drug, the date of filling, the quantity dispensed, the name and identification code of manufacturer in the case of a generically written prescription or a generic interchange, for each filling, and

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- the total number of refills when read in conjunction with any off-line hard copy of the ~~set~~ history of medication orders dispensed to date; and
- C) Supply documentation of the correctness of filling information entered into a system must be provided by the pharmacist using the system by way of a hardcopy printout of each day's filling data which has been verified, dated and signed by the dispensing pharmacist.
- c) In the event the Long Term Care Facility changes pharmacy provider services, their new provider must obtain the orders from the Long Term Care Facility and verify the authenticity and accuracy of the orders with the prescriber.
- d) Staffing of the Pharmacy
- When the pharmacy is closed, the public and any employees not registered under the Act are to be prohibited access to the filling and dispensing area;
 - The pharmacy must provide pharmaceutical services as defined in Section 3 of the Act a minimum of 40 ~~forty~~ hours per week. A pharmacy is considered to be providing pharmaceutical services when a pharmacist is on call and available for consultation.
- e) Pharmacist-in-Charge
- No pharmacy shall be granted a certification of licensure without a pharmacist being designated on the pharmacy license as pharmacist-in-charge. No pharmacist may be designated as a pharmacist-in-charge on more than one pharmacy license. The responsibilities of such pharmacist-in-charge shall include:
 - Supervision of all the activities of all employees as they relate to the practice of pharmacy;
 - Establishment and supervision of the method and manner for storage and safekeeping of pharmaceuticals, including maintenance of security provisions to be used when the pharmacy is closed, as set forth in Section 1330.75; and ~~the following security provisions shall be utilized:~~
 - there shall be no public access to the pharmacy; and
 - all drugs shall be locked and only accessible to a registrant;

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- C) ~~e~~Establishment and supervision of the recordkeeping system for the purchase, sale, delivery, possession, storage and safekeeping of drugs.
- 2) The operations of the pharmacy are the responsibility of the pharmacist-in-charge, and the establishment and maintenance of security provisions are the dual responsibility of the pharmacist-in-charge and the owner of the pharmacy.
- 3) Within ten (10) days of the change of a pharmacist-in-charge, the Department shall be so notified in writing by the departing pharmacist-in-charge.
- 4) The departing pharmacist-in-charge shall, on the effective date of the change, inventory the following controlled substances:
- A) ~~a~~All Schedule II drugs, as defined in the Illinois Controlled Substance Act, by actual physical count; and
- B) ~~a~~All other scheduled drugs, as defined in the Illinois Controlled Substance Act, by estimated count.
- 5) ~~The~~ ~~Such~~ inventory shall constitute, for the purpose of this Section, the closing inventory of the departing pharmacist-in-charge and the initial inventory of the incoming pharmacist-in-charge. This inventory record shall be preserved in the pharmacy for a period of five (5) years. An affidavit attesting to the completion of the inventory and preservation of the inventory record, bearing the date of the inventory and the signatures of the departing and incoming pharmacist-in-charge, shall be submitted to the Department, at its principal office, within ten (10) days of the change in the pharmacist-in-charge.
- 6) Failure on the part of a registrant to provide the information required in subsections (4) and (5) above shall be grounds for denying an application or renewal application for a pharmacy license or for disciplinary action against a registrant. Such action shall be based upon the recommendation of the Board.
- 7) When the accuracy, relevance or completeness of any submitted documentation is reasonably questioned by the Department because of lack of information, discrepancies or conflicts in information given, ~~or a need for information needing further clarification, and/or missing information~~; the registrant will be required to:
- A) ~~p~~Provide such information as may be necessary; and/or

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- B) Appear for an interview before the Board to explain such relevance or sufficiency, clarify information given or clear up any discrepancies of conflicts in information. ~~explain such relevance or completeness during an oral interview; or~~
- C) ~~appear for an oral interview before the Board when the information available to the Board is insufficient to evaluate compliance with this Section.~~
- f) Pharmacists and pharmacies are prohibited from accepting from patients or their agents for reuse, reissue, or resale, any dispensed ~~drugs~~, prescribed medications, chemicals, poisons, or medical devices except for:
- 1) ~~these~~ Medical devices which can be properly sanitized prior to reuse, resale or reagent; ~~and except, however, when~~
- 2) ~~medications~~ that are dispensed and stored under conditions defined and supervised by the pharmacist, ~~and comply with all standards of proper storage for each medication~~, and are unopened in a sealed, intact, and unaltered containers that meets the standards for light, moisture, and air permeation as defined by the current United States Pharmacopoeial (U.S.P.) National Formulary, or by the United States Pharmacopoeial Convention, Inc., ~~may be accepted for reuse, reissue, or resale.~~
- g) Labeling Requirements
- 1) Medications For Future Use
- A) Parenteral solutions to which a drug(s) or diluent has been added or which are not in their original manufacturer's packaging, shall contain the following information on the outer label:
- i) ~~r~~Name, concentration and volume of the base parenteral solution;
- ii) ~~r~~Name and strength of drug(s) added;
- iii) ~~e~~Expiration date and date of the admixture. Expiration date, unless otherwise specified in the individual compendia monograph, or beyond use date, shall be not later than the expiration date on the manufacturer's container, one year from the date the drug is repackaged, or current federal (e.g., the federal Drug Administration Act) or U.S.P. requirements, whichever is earlier; and
- iv) ~~r~~Reference code to identify source and lot number of drug(s) added.

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B) Non-Parenterals repackaged for future use, shall be identified with the following information:

- i) ~~t~~Name, strength and dosage form of drug, or description of the medical device ordered;
- ii) ~~s~~Strength (if applicable);
- iii) ~~e~~Expiration date. Unless otherwise specified in the individual monograph, the expiration date or beyond use date, shall be not later than the expiration date on the manufacturer's container, one year from the date the drug is repackaged, or current federal or U.S.P. requirements, whichever is earlier; and
- iv) ~~r~~Reference code to identify source and lot number.

2) Medications prepared for Immediate Use

A) All medications prepared by the pharmacy for immediate dispensing to a specific resident or patient in the facility, shall be dispensed in a container identified with:

- i) ~~r~~Name of the resident;
- ii) ~~r~~Resident's room and bed number;
- iii) ~~d~~Dispensing date;
- iv) ~~r~~Name, strength and dosage form of drug, or description of the medical device ordered;
- v) ~~q~~Quantity dispensed;
- vi) ~~d~~Directions for use;
- vii) ~~p~~Prescriber's name; and
- viii) ~~e~~Expiration date if less than 60 days from date of dispensing.

B) Pharmacies dispensing medications to a specific resident or patient in the facility via unit dose shall label each order with the following information:

- i) ~~r~~Name of the resident;
- ii) ~~r~~Resident's room and bed number;

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- iii) ~~d~~Date of order;
 - iv) ~~r~~Name, strength and dosage form of drug, or description of the medical device ordered;
 - v) ~~d~~Directions for use; and
 - vi) ~~p~~Prescriber's name.
- h) Pharmacies that compound and dispense parenteral products shall comply with Section 1330.99 of this Part.

(Source: Amended at 16 Ill. Reg. 19811, effective December 7, 1992)

Section 1330.93 Division III Pharmacies

a) Pharmacies which are located in facilities licensed under the Nursing Home Care Reform Act of 1979, the Hospital Licensing Act, or "AN ACT in relation to the founding and operation of the University of Illinois and the conduct of the University of Illinois health care program," the University of Illinois Hospital Act, or are operated by the Department of Mental Health and Disabilities or the Department of Corrections, and which provide pharmacy services to residents, patients, employees, prescribers and students of these facilities, shall, in addition to other requirements of the Act and this Part, comply with this Section.

b) Recordkeeping Requirements

1) Every prescription or drug order filled or refilled shall contain the name or initials of the ~~person authorized to practice pharmacy under the provisions of the Act~~ pharmacist (and technician if one is used) who fills or refills the prescription or drug order ~~same~~, or the ~~such~~ name or initials may be recorded on another appropriate, uniformly maintained and readily retrievable record which indicates, at least, the following information:

- A) ~~t~~The name and dosage form of the drug;
- B) ~~t~~The date of filling or refilling; and
- C) ~~t~~The quantity dispensed.

2) The label affixed to the drug container of any prescription to a non-inpatient of the facility or institution must indicate the initials of the pharmacist (and technician if one is used) ~~person authorized to practice pharmacy in the State of Illinois~~ who filled or refilled the prescription. No prescription may be filled or refilled for a period in

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excess of one (1) year from the date of the original issuance of the prescription by the prescriber.

- 3) The pharmacist-in-charge shall maintain or have access to the following records for at least five (5) years or as otherwise required by law:

- A) Records of medication orders and medication administration to patients;
- B) Procurement records for controlled substances;
- C) Records of packaging, bulk compounding or manufacturing; and
- D) Records of actions taken pursuant to drug recalls.

c) Labeling Requirements

- 1) All medication repackaged by the pharmacy for future use inside the institution or facility, and not intended for immediate dispensing to a specific patient, shall be identified with the following information:

- A) Single dose or multi-dose drugs, except parenteral solutions to which a drug(s) has been added, shall be labeled with:

- i) Trade and/or generic name;
- ii) sStrength (if applicable);
- iii) eExpiration date; and
- iv) rReference code to identify source and lot number.

- B) Parenteral solutions to which drugs have been added shall contain on the outer label:

- i) rName, concentration and volume of the base parenteral solution;
- ii) rName and strength of drug(s) added;
- iii) eExpiration date and time of the admixture; and
- iv) rReference code to identify source and lot number of drugs added.

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- 2) All medication prepared by the pharmacy for immediate dispensing to a specific patient or resident in the institution or facility shall be identified with the following information:

- A) Single dose or multi-dose drugs, except parenteral solutions to which a drug(s) has been added, shall be identified with:

- i) tTrade and/or generic name; and
- ii) sStrength (if applicable).

- B) Parenteral solutions to which drugs have been added shall be identified with:

- i) Name, concentration and volume of the base parenteral solution;
- ii) Name and strength of drug(s) added; and
- iii) Expiration date and time of the admixture.

- C) All medication dispensed to a specific patient in the institution shall be dispensed in a container identified with the name of the patient and the patient's location. Those institutions or facilities utilizing unit-dose and medication cart system may identify the name of the patient and the patient's location on the outside of the bin of the medication cart, when those carts are filled by the pharmacy.

- 3) Labels on all medications dispensed by the pharmacy for immediate dispensing to a discharge patient, emergency room patient and/or employee shall contain the following:

- A) The name and dosage form of the drug;
- B) The date filled;
- C) The quantity dispensed; and
- D) The name or initials of the pharmacist and the pharmacy technician, if applicable, in each refilling.

- 4) Investigational New Drugs, authorized by the United States Food and Drug Administration, shall be dispensed pursuant to a valid prescription order of the principal physician-investigator or his authorized clinician. All investigational drugs shall be stored in and dispensed from the pharmacy and shall be identified with the following information:

- A) rName of drug and strength (if applicable);
- B) Expiration date;
- C) Reference code to identify source and lot number;
- D) A-label indicating "For Investigational Use Only"; and

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- E) Name and location of the patient. Those institutions or facilities utilizing unit-dose and medication cart system may identify the name of the patient and the patient's location on the outside of the bin of the medication cart, when those carts are filled by the pharmacy.
- 4) A pharmacist providing a copy of a prescription to an ultimate consumer for the purpose of transfer or any other purpose shall cancel the face of the original prescription and record the date the copy is issued, to whom issued, and his signature on the face of the original prescription. Copies of prescriptions shall be marked "For Information Purposes Only" and require prescriber authorization to fill.
- d) Staffing of the Pharmacy
- 1) No pharmacy shall be granted a certificate of licensure without a pharmacist being designated on the pharmacy license as pharmacist-in-charge. No pharmacist may be designated as a pharmacist-in-charge on more than one pharmacy license. The responsibilities of such pharmacist-in-charge shall include:
- A) ~~s~~Supervision of all the activities of all employees as they relate to the practice of pharmacy;
- B) ~~e~~Establishment and supervision of the method and manner for storage, dispensing and safekeeping of pharmaceuticals in all areas of the institution or facility, including maintenance of security provisions to be used when the pharmacy is closed. The following security provisions shall be utilized:
- i) ~~t~~The pharmacy shall be staffed at all times by a registered pharmacist during open hours; and
- ii) ~~all drug storage and dispensing areas occupied by the pharmacy shall be locked in the absence of a registered pharmacist and~~
- iii) ~~ii~~ There shall be no public access to the pharmacy, except as provided in Section 1330.93 (e)(1).
- C) ~~e~~Establishment and supervision of the recordkeeping system for the purchase, sale, delivery, possession, storage and safekeeping of drugs;
- D) ~~t~~The development and implementation of a procedure to be utilized in the event of a drug recall which can be readily activated to assure that all drugs included on the recall are returned to the pharmacy for proper disposition;

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- E) ~~e~~Establishment of specifications for the procurement of all drugs which will be dispensed by the pharmacy; and
- F) ~~e~~Establishment and supervision of a method of documenting an oral prescription from a licensed physician to a pharmacist and for transmission of that information to the appropriate members of the nursing staff of the institution or facility.
- 2) ~~t~~The operations of the pharmacy and the maintenance of security provisions are the responsibility of the pharmacist-in-charge whether the owner is a sole proprietor, partnership, association, corporation or any other entity.
- 3) ~~w~~~~i~~Within ten (10) days of the change of a pharmacist-in-charge, the Department shall be so notified in writing by the departing pharmacist-in-charge.
- 4) ~~t~~The departing pharmacist-in-charge shall, on the effective date of the change, inventory the following controlled substances:
- A) ~~a~~All Schedule II drugs, as defined in the Illinois Controlled Substance Act, by actual physical count; and
- B) ~~a~~All other scheduled drugs, as defined in the Illinois Controlled Substance Act, by estimated count.
- 5) ~~The~~ ~~S~~uch inventory shall constitute, for the purpose of this Section, the closing inventory of the departing pharmacist-in-charge and the initial inventory of the incoming pharmacist-in-charge. This inventory record shall be preserved in the pharmacy for a period of five (5) years. An affidavit attesting to the completion and preservation of the inventory record bearing the date of the inventory and the signatures of the departing and incoming pharmacist-in-charge shall be submitted to the Department of Professional Regulation, at its principal office, within ten (10) days of the change in the pharmacist-in-charge.
- 6) Failure on the part of a registrant to provide the affidavit required in subsections (4) and (5) above shall be grounds for denying an application or renewal application for a pharmacy license or for disciplinary action against a registrant. Such action shall be based on the recommendation of the Board.
- 7) When the accuracy, relevance or completeness of any submitted documentation is reasonably questioned by the Department, because of lack of information, discrepancies or conflicts in information given, or a need for information needing further clarification, ~~and/or raising information~~, the registrant will be required to:

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- A) ~~Provide~~ such information as may be necessary, and/or
- B) ~~Appear for an interview before the Board to explain such relevance or sufficiency, clarify information given or clear up any discrepancies of conflicts in information, explain such relevance or completeness during an oral interview, or~~
- C) ~~appear for an oral interview before the Board when the information available to the Board is insufficient to evaluate compliance with this Section.~~

8) Pharmacists and pharmacies are prohibited from accepting from patients or their agents for reuse, reissue, or resale dispensed ~~any~~ ~~drugs, prescribed medications, chemicals, poisons, or medical devices~~ except for:

- A) ~~these~~ medical devices which can be properly sanitized prior to reuse, resale or rent; and ~~Except, however, when:~~
- B) ~~medications that are dispensed and stored under conditions defined and supervised by the pharmacist, and comply with all standards of proper storage for each medication, and are unopened in a sealed, intact, and unaltered containers that meet the standards for light, moisture, and air permeation as defined by a current United States Pharmacopoeia/National Formulary published by the United States Pharmacopoeial Pharmacopoeial Convention, Inc.; such medication may be accepted for reuse, resale, or resale.~~

e) Medication Dispensing in the Absence of a Pharmacist -- the availability of necessary medications for immediate therapeutic use during those hours when the institutional pharmacy is not open shall be met in the following manner:

- 1) An after-hour cabinet, which is a locked cabinet or other enclosure located outside of the pharmacy area containing a minimal supply of the most frequently required medication, may be utilized provided that only personnel specifically authorized by the institution in which the pharmacy is located may obtain access and it is sufficiently secure to deny access to unauthorized persons. After-hour cabinets shall only be used in the absence of a pharmacist. When medication is removed from the ~~such~~ cabinet or enclosure, written physician's orders authorizing the removal of the ~~said~~ medication shall be placed in the cabinet or enclosure. A log shall be maintained within the cabinet or enclosure and authorized personnel removing medication shall indicate on the log the signature of the authorized personnel removing the ~~said~~ medication, name of the medication removed, the strength (if applicable), the quantity removed, and the time of removal.

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- 2) Emergency kits containing those drugs which may be required to meet the immediate therapeutic needs of the patient, and which are not available from any other source in sufficient time to prevent risk of harm to patients by delay resulting from obtaining the ~~such~~ drugs from the ~~such~~ other source, may be utilized. Emergency kits shall be supplied and maintained under the supervision of a pharmacist. Drugs shall be removed from emergency kits only by authorized pharmacy personnel, persons authorized to administer medication pursuant to a valid physician's order or a physician licensed to practice medicine in all of its branches in Illinois. Emergency kits shall be sealed in some manner which will indicate when the kit has been opened. A label shall be affixed to the outside of the emergency kit indicating the expiration date of the emergency kit. The expiration date of the emergency kit shall be the earliest expiration date of any drug contained in the kit. After an emergency kit has been used or upon discovery that the seal has been broken or upon the occurrence of the expiration date, the kit shall be returned to the pharmacy to be checked and/or restocked.
- 3) Whenever any drug is not available from night cabinets or emergency kits, and the ~~such~~ drug is required to treat the immediate needs of a patient, the ~~such~~ drug may be obtained from the pharmacy in sufficient quantity to meet the immediate need by an authorized nurse. When medication is removed from the pharmacy by an authorized nurse, a copy of the physician's order authorizing the removal of said medication shall be conspicuously placed in the pharmacy with the container from which the drug was removed so that it will be found by a pharmacist and checked promptly. A form shall be available in the pharmacy upon which shall be recorded the signature of the authorized nurse who removed the medication, the name, strength (if applicable) and quantity of medication removed.
- 4) Drugs may be dispensed from the emergency room only by a practitioner licensed to prescribe and ~~or~~ dispense, and only to patients treated in the institution. This shall occur only during hours in which outpatient institutional pharmacy services are not available. The quantity dispensed should be limited to no more than a 24 hour supply, except for unit use packages (e.g., inhalers, ophthalmics, otics, etc.) ~~sufficient doses~~ to meet the immediate needs of the patient until pharmacy services are available. Drugs dispensed in this manner must meet all labeling requirements pertaining to Division I pharmacies as specified in Section 1330.91 ~~in subsection (c) of this Section~~. There shall be written policies and procedures, approved by the medical staff, regarding the dispensing of drugs from the emergency room.

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- f) Pharmacies that compound and dispense parenteral products shall comply with Section 1330.99 of this Part.

(Source: Amended at 16 Ill. Reg. 19811, effective December 7, 1992.)

Section 1330.94 Division IV Pharmacies

- a) Pharmacies which provide and/or offer for sale radiopharmaceuticals shall in addition to any other requirements of the Act and this Part comply with Section 1330.94 of this Part.

- b) Prior to issuance of a Division IV pharmacy license:

- 1) ~~¶~~The pharmacy shall provide a copy of their Illinois Radioactive Material License issued by the Illinois Department of Nuclear Safety in accordance with the Radiation Protection Act (Ill. Rev. Stat. 1991 ~~1987~~, ch. 111 1/2, par. 211 et seq.).

- 2) ~~¶~~The Department shall conduct an on-site inspection of the facility.

- c) The pharmacy shall have:

- 1) ~~¶~~Space commensurate with the scope of services provided, but at least 300 square feet; and

- 2) ~~¶~~Radioactive storage and product decay facility, separate from and exclusive of the "hot" laboratory, compounding, dispensing quality assurance and office areas.

- d) Each Division IV Pharmacy shall have the following equipment:

- 1) Laminar Flow Hood;
- 2) Fume Hood - minimum of 30 inches in height, which shall be vented through a filter with a direct outlet to the outside;
- 3) Dose Calibrator;
- 4) Refrigerator;
- 5) Class A prescription balance or a balance of greater sensitivity;
- 6) Single-channel or multi-channel gamma scintillation counter;
- 7) Microscope;
- 8) Low level, thin-window portable radiation survey meter;

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- 9) Drawing station - lead glass and lead lined;

- 10) Syringe shields; and

- 11) Energy Compensated Geiger Mueller (GM) Probe or ion chamber.

- e) Each Division IV Pharmacy shall have the following reference texts available:

- 1) ~~¶~~The current edition or revision of the United States Pharmacopoeia - Dispensing Information;

- 2) The current edition or revision of the United States Pharmacopoeia/National Formulary;

- 3) State and federal regulations governing the use of applicable radioactive material; and

- 4) United States Public Health Service, Radiological Health Handbook.

- f) Pharmacist-in-Charge

- 1) Designation as a Division IV pharmacy shall only be granted if the pharmacist-in-charge is a nuclear pharmacist meeting the requirements set forth in subsection (i). No registered pharmacist may be designated as a pharmacist-in-charge on more than one pharmacy license. The responsibilities of the pharmacist-in-charge shall include:

- A) ~~¶~~Supervision of all the activities of all employees as they relate to the practice of nuclear pharmacy;

- B) ~~¶~~Establishment and supervision of the recordkeeping system for the purchase, acquisition, disposition, sale, delivery, possession, storage and safekeeping of radiopharmaceuticals; and

- C) ~~¶~~Establishment and maintenance of security provisions, which shall include the following:

- i) ~~¶~~There shall be no public access to the pharmacy hot lab/dispensing area; and

- ii) ~~¶~~In the absence of a nuclear pharmacist all radiopharmaceuticals shall be locked and accessible only to a nuclear pharmacist or an individual under ~~the~~ direct supervision of the pharmacist; except, a licensed medical practitioner authorized to possess, use and administer radiopharmaceuticals may have access to radiopharmaceuticals in the absence of a nuclear pharmacist.

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2) Within 10 days of the change of a pharmacist-in-charge, the Department shall be so notified in writing by the departing pharmacist-in-charge.

g) Dispensing Radiopharmaceuticals

- 1) A radiopharmaceutical shall be dispensed only upon a prescription order from a licensed medical practitioner authorized to possess, use and administer radiopharmaceuticals.
- 2) No radiopharmaceutical shall be dispensed in the absence of a nuclear pharmacist except, a licensed medical practitioner authorized to possess, use, dispense, and administer radiopharmaceuticals may dispense in the absence of a nuclear pharmacist.
- 3) The amount of radioactivity in a preparation for dispensing shall be determined by radiometric methods for each individual preparation at the time of preparation, and calibrated for the anticipated time of administration.

h) Labeling requirements

1) In addition to the labeling requirements of pharmaceuticals, as stipulated in the Act, the immediate outer container of a radioactive drug, diagnostic agent or device to be dispensed shall also be labeled to include:

- A) The standard radiation symbol;
- B) The words, "Caution-Radioactive Material";
- C) The name of the radionuclide;
- D) The name of the chemical form;
- E) The amount of radioactive material contained, in millicuries or microcuries, in the container contents at the time of calibration;
- F) If the container contents are in liquid form, the volume in milliliters;
- G) The requested calibration time for the amount of radioactivity contained;
- H) The prescription number; and
- I) The name or initials of the nuclear pharmacist filling the prescription.

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2) The immediate container shall be labeled with:

- A) The standard radiation symbol;
- B) The words, "Caution-Radioactive Material";
- C) The name and address of the pharmacy;
- D) The prescription number;
- E) Name of radionuclide; and
- F) Name of chemical form.

i) Nuclear Pharmacist Requirements -- A nuclear pharmacist who serves as the pharmacist-in-charge of a Division IV pharmacy and all other pharmacists employed in the such pharmacy shall provide evidence to the Department of the following:

- 1) Licensure as a Pharmacist in the State of Illinois; and
- 2) The pharmacist--That he/she is named as an authorized user or works under the supervision of a pharmacist who is named as an authorized user on a commercial nuclear pharmacy license issued by the Illinois Department of Nuclear Safety or in the case where a nuclear pharmacist, who works under a broad medical license at a university or research hospital, has been approved as a user by that institution's radiation safety committee in accordance with conditions of the license issued by the Illinois Department of Nuclear Safety.
- j) Nothing in this Part shall prohibit the operation of a nuclear medicine laboratory or any such other department which is operated under the direct supervision of a licensed medical practitioner authorized to possess, use and administer radiopharmaceuticals.

(Source: Amended at 16 Ill. Reg. 19811, effective December 7, 1992)

Section 1330.95 Division V Pharmacies

a) Pharmacies Required to Hold Division V Licenses

- 1) Pharmacies which are located in or provide service to ambulatory care facilities, schools of veterinary medicine or other institutions or facilities. In addition to other requirements of the Act and this Part, these pharmacies shall comply with this Section.
- 2) Pharmacies that who hold Division II licenses and provide pharmacy services to the general public. In addition to other requirements of the Act and Rules, these pharmacies shall comply with Section 1330.92 and this Section.

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- 3) Pharmacies that ~~who~~ hold Division III licenses and provide pharmacy services to the general public. In addition to other requirements of the Act and Rules, these pharmacies shall comply with Section 1330.93 and this Section.

b) Recordkeeping Requirements for Filling Prescriptions

- 1) Every written and oral prescription filled or refilled shall contain the handwritten name or initials of the person authorized to practice pharmacy under the provisions of the Act who fills or refills the prescription ~~same~~. Additionally, the label affixed to the drug container must indicate the initials of the person authorized to practice pharmacy in the State of Illinois who filled or refilled the prescription. No prescription may be filled or refilled for a period in excess of one (1) year from the date of the original issuance of the prescription by the prescriber.

- 2) Whenever a prescription, written or oral, is filled or refilled, by a registered pharmacy technician under the supervision of a pharmacist, the same shall contain the handwritten names or initials of both the supervising pharmacist and the registered pharmacy technician who fills or refills the same. Additionally, the label affixed to the drug container must indicate the same initials.

3) Refilling a Prescription

- A) Each refilling of a prescription shall be entered on the prescription or on another uniformly maintained, readily retrievable record, which indicates by the number of the prescription the following information:

- i) ~~the~~ The name and dosage form of the drug;
 - ii) ~~the~~ The date of each refilling;
 - iii) ~~the~~ The quantity dispensed;
 - iv) ~~the~~ The name or initials of the pharmacist and the pharmacy technician, if applicable, in each refilling; and
 - v) ~~the~~ The total number of refills for the prescription.
- B) If the pharmacist merely dates and signs or initials the prescription, he/she shall be deemed to have dispensed a refill for the full face amount of the prescription.

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- 4) Presentation of a written prescription copy or prescription label shall be for information purposes only and has no legal status as a valid prescription order. The recipient pharmacist of the ~~such~~ copy or prescription label shall contact the prescribing practitioner to obtain a new prescription order ~~for authorization to dispense the prescription~~.

- 5) A pharmacist providing a copy of a prescription to an ultimate consumer for the purpose of transfer or any other purpose shall cancel the face of the original prescription and record the date the copy is issued, to whom issued, and his/her signature on the face of the original prescription. Copies of prescriptions shall be marked "For Information Purposes Only" and ~~require prescriber authorization to fill~~ ~~may~~ neither be filled nor refilled.

- 6) Subject to Section 18 of the Act, any information which is required to be kept pursuant to this Section may be recorded and stored in a computerized pharmaceutical information system which meets the standards of performance required by the regulations of the Drug Enforcement Administration (21 CFR 1306) (1988), and which contain no further amendments or editions, and shall include the capability to:

- A) Retrieve the ~~retrieval of~~ original prescription order information for those prescription orders which are currently authorized for refilling;

- B) Retrieve ~~retrieval of~~ the current prescription orders which shall, at a minimum, ~~must~~ include name of drug, date of refill, quantity dispensed, name and identification code of the manufacturer in the case of a generically written prescription or a generic interchange, name or initials of the dispensing pharmacist and technician for each refill, and the total number of refills dispensed to date;

- C) Supply documentation of the correctness of refill information entered into a system must be provided by the pharmacist using the system by way of a hard copy printout of each day's refill data which has been verified, dated, and signed by the dispensing pharmacist. This printout must include for each script refilled at least the following information:

- i) ~~the~~ The name and dosage form of the drug;
- ii) ~~the~~ The date of each refilling;
- iii) ~~the~~ The quantity dispensed;
- iv) ~~the~~ The name or initials of the pharmacist in each refilling and the pharmacy technician, if applicable;

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- v) ~~the~~ The patient's name;
 - vi) ~~the~~ The prescriber's name; and
 - vii) ~~the~~ The prescription number for the prescription.
- D) All refill data shall be maintained by the pharmacy on the premises for ~~5~~ five years in accordance with Section 18 of the Act. The hard copy printout required in subsection (C) above shall be maintained for ~~2~~ two years. The data for the remaining ~~3~~ three years shall be maintained at the pharmacy either by hard copy printout, microfiche or microfilm. If data is stored other than by the hard copy printout, the pharmacy shall have the appropriate equipment on the premises to provide readily retrievable information in the course of an on-site inspection. A hard copy printout shall be provided upon request by the Department.

c) Transfer of Prescription Information

- 1) A prescription may be transferred between pharmacies for the purpose of refill dispensing provided that:
 - A) The transferor pharmacist invalidates the prescription on file and records to whom transferred, the date of issuance of the ~~such~~ copy and the name of the transferor pharmacist issuing the transferred prescription order; and
 - B) The transferee pharmacist, upon receiving the ~~such~~ prescription directly from another pharmacist, records the following:
 - i) ~~the~~ The name, address and original prescription number of the pharmacy from which the prescription was transferred;
 - ii) ~~all~~ Information constituting a prescription order including the following: name of drug, original amount dispensed, date of original issuance of the prescription and number of valid refills remaining; and
 - C) ~~the~~ The transferee pharmacist informs the patient that the original prescription has been cancelled at the pharmacy from which it has been transferred.
- 2) A prescription for Schedule III, IV and V drugs may be transferred from original pharmacy one time for the purpose of refill dispensing and may not be transferred further.

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- 2) 3) Computerized systems must satisfy all information requirements of subsection (c) above, including invalidation of the original prescription when transferred between pharmacies accessing the same prescription records or between pharmacies of the same ownership. If those systems that access the same prescription records have the capability of cancelling the original prescription, pharmacies using such a system are exempt from the requirements of subsection (c) if the transferred prescription can always be tracked to the original prescription order from the prescribing practitioner and the original prescription can be produced.

d) Staffing of the Pharmacy

- 1) Whenever the hours of the pharmacy (prescription department) differ from those of the establishment in which the pharmacy is located, there shall be compliance with the following:
 - A) ~~the~~ The schedule during which the practice of pharmacy is carried on in such pharmacy shall be conspicuously displayed.
 - B) ~~when~~ When the pharmacy is closed, the public and any employees not registered under the Act are to be prohibited access to the area;
 - C) ~~When~~ Whenever an establishment housing a pharmacy is open and a pharmacist is not present and available to provide pharmaceutical services as defined in Section 3 of the Act, a sign shall be conspicuously displayed stating in all capital letters: ~~Pharmacist not on duty-state law prohibits filling of prescriptions in the absence of a pharmacist. Pharmacist not on duty. STATE LAW PROHIBITS FILLING OF PRESCRIPTIONS IN THE ABSENCE OF A PHARMACIST.~~
 - D) No prescription may be dispensed when a pharmacist is not physically present in the establishment and on duty.
 - 2) The pharmacy must provide pharmaceutical services, as defined in Section 3 of the Act, to the public a minimum of ~~40~~ forty hours per week. A pharmacy is considered providing Pharmaceutical Services when a pharmacist is physically present in the establishment and available for consultation.
- e) Pharmacist-in-Charge
- 1) No pharmacy shall be granted a certificate of licensure without a pharmacist being designated on the pharmacy license as pharmacist-in-charge. No pharmacist may be designated as a pharmacist-in-charge on more than one pharmacy license. The responsibilities of such pharmacist-in-charge shall include:

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- A) ~~s~~Supervision of all the activities of all employees as they relate to the practice of pharmacy;
- B) ~~e~~Establishment and supervision of the method and manner for storage and safekeeping of pharmaceuticals, including maintenance of security provisions to be used when the pharmacy is closed, as set forth in Section 1330.75; and ~~the following security provisions shall be utilized:~~
 - i) ~~there shall be no public access to the pharmacy; and~~
 - ii) ~~all drugs shall be locked and only accessible to a registrant; and~~
- C) ~~e~~Establishment and supervision of the recordkeeping system for the purchase, sale, delivery, possession, storage and safekeeping of drugs.
- 2) The operations of the pharmacy are the responsibility of the pharmacist-in-charge, and the establishment and maintenance of security provisions are the dual responsibility of the pharmacist-in-charge and the owner of the pharmacy.
- 3) Within ten (10) days of the change of a pharmacist-in-charge, the Department shall be so notified in writing by the departing pharmacist-in-charge.
- 4) In addition to notifying the Department within 10 days, the departing pharmacist-in-charge shall, on the effective date of the change, inventory the following controlled substances:
 - A) ~~a~~All Schedule II drugs, as defined in the Illinois Controlled Substance Act, by actual physical count; and
 - B) ~~a~~All other scheduled drugs, as defined in the Illinois Controlled Substance Act, by estimated count.
- 5) Such inventory shall constitute, for the purpose of this Section, the closing inventory of the departing pharmacist-in-charge and the initial inventory of the incoming pharmacist-in-charge. This inventory record shall be preserved in the pharmacy for a period of five (5) years. An affidavit attesting to the completion of the inventory and preservation of the inventory record, bearing the date of the inventory and the signatures of the departing and incoming pharmacist-in-charge, shall be submitted to the Department of Professional Regulation, at its principal office, within ten (10) days of the change in the pharmacist-in-charge.

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- 6) Failure on the part of a registrant to provide the information required in subsections (3), (4) and (5) above shall be grounds for denying an licensure application or renewal application for a pharmacy license or for disciplinary action against a registrant. Such action shall be based on the recommendation of the Board in accordance with Sections 30-39 of the Act and 68 Ill. Adm. Code 1110.10
- 7) When the accuracy, relevance or completeness of any submitted documentation is questioned by the Department, because of lack of information, discrepancies or conflicts in information given, or a need for clarification ~~information needing further clarification, and/or missing information~~, the registrant will be required to:
 - A) ~~p~~Provide such information as may be necessary; and/or
 - B) Appear for an interview before the Board to explain such relevance or sufficiency, clarify information given or clear up any discrepancies or conflicts in information.
 - B) ~~e~~xplain such ~~relevance or completeness during an oral interview;~~ or
 - C) ~~a~~ppear ~~for an oral interview before the Board when the information available to the Board is insufficient to evaluate compliance with this Section.~~
- f) Pharmacists and pharmacies are prohibited from accepting from patients or their agents for reuse, reissue or resale any dispensed medications, chemicals, poisons or medical devices except for: ~~Pharmacists and pharmacies are prohibited from accepting from patients or their agents for reuse, reissue, or resale any drugs, prescribed medications, chemicals, poisons, or medical devices except for those medical devices which can be sanitized prior to reuse, resale or re-ent (e.g., wheelchairs, walkers).~~
 - 1) Medical devices that can be properly sanitized prior to reuse, resale or re-ent; and
 - 2) Medications that are dispensed and stored under conditions defined and supervised by the pharmacist and are unopened in sealed, intact and unaltered containers that meet the standards for light, moisture and air permeation as defined by the current United States Pharmacopoeia (U.S.P.)/National Formulary or by the United States Pharmacopoeial Convention, Inc.
- g) Pharmacies that compound and dispense parenteral products shall comply with Section 1330.99 of this Part.

(Source: Amended at 16 Ill. Reg. 19811, effective December 7, 1992)

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Section 1330.96 Nonresident Pharmacies

a) The Board shall require and provide for an annual nonresident special pharmacy registration for all pharmacies located outside of this State that dispense medications for Illinois residents and mail, ship or deliver prescription medications into this State. Nonresident special pharmacy registration shall be granted by the Board upon the disclosure and certification by a pharmacy:

- 1) That it is licensed in the state in which the dispensing facility is located and from which the drugs are dispensed;
- 2) Of the location, names and titles of all principal corporate officers and all pharmacists who are dispensing drugs to residents of this State;
- 3) That it complies with all lawful directions and requests for information from the board of pharmacy of each state in which it is licensed or registered, except that it shall respond directly to all communications from the Board concerning emergency circumstances arising from the dispensing of drugs to residents of this State.
- 4) That it maintains its records of drugs dispensed to residents of this State so that the records are readily retrievable from the records of other drugs dispensed;
- 5) That it cooperates with the Board in providing information to the board of pharmacy of the state in which it is licensed concerning matters related to the dispensing of drugs to residents of this State; and
- 6) That during its regular hours of operation, but not less than 6 days per week, for a minimum of 40 hours per week, a toll-free telephone service is provided to facilitate communication between patients in this State and a pharmacist at the pharmacy who has access to the patients' records. The toll-free number must be disclosed on the label affixed to each container of drugs dispensed to residents of this State.

b) To obtain nonresident special pharmacy registration in Illinois, an applicant shall file an application with the Department, on forms provided by the Department, which includes:

- 1) Disclosure and certification of information required in subsections (a)(1) through (6) above; and
- 2) The required fee pursuant to Section 27(C)(1).

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c) Nonresident special pharmacy registration shall expire on March 31 of each even numbered year and may be renewed during the 60 days preceding the expiration date by paying the fee required by Section 27(C)(2).

(Source: Added at 16 Ill. Reg. 19811, effective December 7, 1992.)

Section 1330.99 Parenteral Product Standards

a) This Section sets forth standards for Divisions I, II, III, IV and V pharmacies whose practice includes the preparation, labeling and distribution of parenteral products pursuant to prescriptions or drug orders, as defined in the Act. These activities may include, but are not limited to:

- 1) Sterile preparation of parenteral therapy, parenteral nutrition; and
- 2) Sterile preparations of cytotoxic or antineoplastic agents.

b) Definitions

Biological Safety Cabinet - containment unit suitable for the preparation of low to moderate risk agents when there is a need for protection of the product, personnel and environment, according to National Sanitation Foundation (NSF) Standard 49.

Cytotoxic - a pharmaceutical that has the capability of killing living cells. These agents shall include, but are not limited to, agents classified as cancer chemotherapeutic, carcinogenic, mutagenic and antineoplastic.

Parenteral - sterile preparations of drugs for injection through one or more layers of the skin.

Terminal - a patient whose medical condition indicates his/her life expectancy to be 6 months or less.

c) Physical Requirements of Pharmacies Preparing Sterile Parenteral Products

- 1) The pharmacy shall have a designated area for preparing sterile parenteral products. The area shall be designed to minimize outside traffic and airflow disturbances from activity within the facility. It shall be of sufficient size to accommodate a laminar airflow hood and to provide for the proper storage of drugs and supplies under appropriate conditions of temperature, light, moisture, sanitation, ventilation and security. It shall be ventilated in a manner not interfering with laminar airflow hood conditions.

2) The licensed pharmacy preparing sterile parenteral products shall have the following:

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A) Laminar airflow hood.

- i) Laminar airflow equipment shall be certified annually in accordance with Federal Standard 2098 (for horizontal laminar airflow equipment) or National Sanitation Foundation Standard 49 (for vertical laminar airflow equipment).
 - ii) In the event the laminar equipment is moved from its site of certification, recertification shall occur.
 - iii) Prefilters must be replaced or cleaned monthly and documentation of this maintained.
- B) Sink with hot and cold running water, which is convenient to the compounding area.
- C) Environmental Protection Agency approved disposal containers for used needles, syringes, etc., and if applicable, cytotoxic waste from the preparation of chemotherapy agents and infectious wastes.
- D) Refrigerator and/or Freezer with a thermometer.
- E) Temperature controlled container for off site deliveries.

3) The following current resource materials and texts shall be maintained in the pharmacy:

- A) United States Pharmacopoeia/National Formulary (USP/NF);
- B) American Hospital Formulary Service;
- C) Copies of the Illinois Pharmacy Practice Act and Rules, the Illinois Controlled Substances Act and Rules, 21 CFR and the Illinois Hypodermic Syringes and Needles Act.
- D) One compatibility reference such as:
 - i) Trissel's Handbook on Injectable Drugs;
 - ii) King's Guide to Parenteral Admixtures; or
 - iii) Any other Department approved publication.
- E) A file on extended (more than 24 hours) stability data given to finished products.
- d) Staffing. A pharmacist shall be accessible at all times at each licensed facility to respond to patients' and health professionals' questions and needs. A 24-hour telephone number will be included on all labeling of compounded medication and medication infusion devices if off site.

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e) Drug Distribution and Control

- 1) Patient Profile or Medication Record System. A pharmacy generated patient profile or medication record system must be separate from the prescription file. The patient profile or medication record system shall contain, at a minimum:
 - A) Patient's full name;
 - B) Date of Birth or Age;
 - C) Sex;
 - D) Sterile products dispensed;
 - E) Date dispensed, if off site;
 - F) Drug content and quantity;
 - G) Patient directions, if off site;
 - H) Identifying number;
 - I) Identification of dispensing pharmacist and, if applicable, pharmacy technician;
 - J) Other drugs patient is receiving;
 - K) Known drug sensitivities and allergies to drugs and foods;
 - L) Diagnosis; and
 - M) Lot numbers of components or individual medicine if product is not used within 48 hours of preparation.
- 2) Labeling. Each parenteral product dispensed to patients shall be labeled with the following information with a permanent label:
 - A) Name, address and telephone number of the licensed pharmacy, if not within facility;
 - B) Administration date and identifying number if used on site, date dispensed and identifying number if used off site;
 - C) Patient's full name and room number, if applicable;
 - D) Name of each drug, strength and amount;
 - E) Directions for use and/or infusion rate if used off site;
 - F) Prescriber's full last name if used off premises;
 - G) Required controlled substances transfer warnings, when applicable;
 - H) Expiration date and expiration hour;
 - I) Identity of pharmacist compounding and dispensing, or other authorized individual; and
 - J) Auxiliary labels and storage requirements, if applicable.
- 3) The pharmacist-in-charge shall ensure that records are maintained for 5 years and are readily retrievable in a format that provides enforcement agents an accurate and comprehensive method of monitoring distribution via an audit trail. The records shall include at least the following information:

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- A) Patient profile;
- B) Medication Record System;
- C) Purchase records; and
- D) Lot numbers of the components used in compounding sterile prescriptions/orders traceable to a specific patient, if not included on patient profile and if the product is not utilized within 48 hours of preparation.

f) Delivery Service. The pharmacist-in-charge shall assure the environmental control of all products shipped or delivered off site. Therefore, any compounded, sterile pharmaceutical must be shipped or delivered to a patient in temperature controlled (as defined by USP Standards) delivery containers.

g) Cytotoxic Drugs. The following additional requirements are necessary for those licensed pharmacies that prepare cytotoxic drugs:

- 1) Safety and containment techniques for compounding cytotoxic drugs shall be used.
- 2) Disposal of cytotoxic waste shall comply with all applicable local, State and federal requirements.
- 3) Prepared doses of cytotoxic drugs must be dispensed, labeled with proper precautions inside and outside and shipped in a manner to minimize the risk of accidental rupture of the primary container.
- 4) Must have as a reference Procedures for Handling Cytotoxic Drugs/American Society of Hospital Pharmacists (ASHP).

(Source: Added at 16 Ill. Reg. 19811, effective December 7, 1992)

Section 1330.100 Application for a Pharmacy License

a) Establishing, Relocating or Changing Ownership

- 1) Any person who desires to establish, relocate or change the ownership of a pharmacy shall file an application on forms supplied by the Department, together with the fee required by Section 27(C)(1) 25 of the Act (Ill. Rev. Stat. 1983, ch. 111, par. 4052-1) and specify the applicable Division as defined in Section 1330.70.

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- 2) Upon determination that the application is in good order, an inspection of the premises will be conducted to determine compliance with Section 14 7a of the Act (Ill. Rev. Stat. 1983, ch. 111, par. 4027). An application shall be in good order when it is signed, notarized and the license of the pharmacist in-charge has been verified to be ~~hold-a~~ ~~license~~ in good standing with the Department and that ~~he/she~~ is not a pharmacist-in-charge at another pharmacy.

- 3) Upon recommendation of the Drug Compliance Coordinator, the Board may request the owner of the pharmacy and the pharmacist-in-charge to appear for an interview with the Board.

- 4) No pharmacy license shall be issued unless the pharmacy meets the requirements of Section 14 of the Act and the requirements for each applicable Division as set forth in Section 1330.91, 1330.92, 1330.93, 1330.94 and/or 1330.95. ~~location.~~

- 5) No pharmacy license shall be issued if outdated drugs are in stock.

- A) contains at least 300 square feet;
- B) contains all equipment required within the designated pharmacy division; and
- C) is clean, sanitary, secure and equipped as required by Sections 7a and 8a of the Act.

- b) If the application is complete, the license shall be issued within 60 days.
- c) If the application is incomplete, the applicant shall be notified within 15 days.

- d) For a change of name of pharmacist in charge only, the owner shall be required to file an application on forms supplied by the Department, together with the required fee and submit the his present license. The Department shall evaluate the application and, if satisfactory, issue a new license.

- e) Within thirty (30) days of issuance of a pharmacy license, the pharmacy for which the licensure was requested shall be open to the public for pharmaceutical services.

(Source: Amended at 16 Ill. Reg. 19811, effective December 7, 1992)

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Section 1330.110 Granting Variances

- a) The Director may grant variances from these rules in individual cases where he/she finds that:

- 1) ~~the~~ provision from which the variance is granted is not statutorily mandated;
- 2) ~~a~~ No party will be injured by the granting of the variance; and
- 3) ~~the~~ rule from which the variance is granted would, in the particular case, be unreasonable or unnecessarily burdensome.

- b) The Director shall notify the State Board of Pharmacy of the granting of such variance, and the reasons therefor, at the next meeting of the Board.

(Source: Amended at 16 Ill. Reg. 19811, effective December 7, 1992)

Section 1330.120 Renewals

- a) Every ~~license certificate of registration~~ issued under the Act except the certificate of registration as a pharmacy technician shall expire on March 31 of each even numbered year. Every certificate of registration as a pharmacy technician issued under the Act shall expire annually on March 31. The holder of a license or certificate of registration may renew the license or ~~such~~ certificate during the 60 days preceding the expiration date ~~thereof~~ by paying the required fee.

- b) It is the responsibility of each registrant to notify the Department of any change of address. Failure to receive a renewal form from the Department shall not constitute an excuse for failure to pay the renewal fee.

- c) Practicing or operating on a license or certificate which has expired shall be considered unlicensed activity and shall be grounds for discipline pursuant to Section 30 of the Act.

(Source: Amended at 16 Ill. Reg. 19811, effective December 7, 1992)

Section 1330.130 Restoration

- a) A registrant seeking restoration of a ~~his~~ certificate of registration which has expired for less than five (5) years shall have ~~the~~ his license restored upon payment of all lapsed renewal fees required by Section 27 of the Act and proof of 30 hours of continuing education (e.g., certificate of attendance or completion) in accordance with Section 1330.140 of this Part.

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- b) A registrant seeking restoration of a ~~his~~ certificate of registration which has been placed on inactive status for less than five (5) years shall have ~~the~~ his license restored upon payment of the current renewal fee and proof of 30 hours of continuing education (e.g., certificate of attendance or completion) in accordance with Section 1330.140 of this Part.

- c) A registrant seeking restoration of a ~~his~~ certificate of registration after it has expired or been placed on inactive status for more than five (5) years shall file an application, on forms supplied by the Department, together with the fee required by Section 27 of the Act and proof of 30 hours of continuing education (e.g., certificate of attendance or completion) in accordance with Section 1330.140 of this Part. The registrant shall also submit either:

- 1) Certification ~~Sworn evidence of~~ active practice in another jurisdiction. ~~Such evidence~~ shall include a statement from the appropriate board or licensing authority in the other jurisdiction that the registrant was authorized to practice during the term of ~~said~~ active practice;

- 2) An affidavit attesting to military service as specified in Section 12 of the Act. ~~The~~ ~~Such~~ applicant restoring a ~~his~~ license shall be excused from the payment of any lapsed fee or any restoration fees.

- 3) A registrant who is unable to submit proof of satisfaction of either subsection (1) or (2), above, shall submit proof of completion of:

- A) ~~Fifteen~~ (15) clock hours of refresher courses or continuing education for each year the license was expired; or
- B) ~~Up~~ to 400 hours of clinical practice under the supervision of a pharmacist.

- C) The course work or clinical training described in subsections (A) and (B), above, shall have the prior approval of the Board.

- d) When the accuracy of any submitted documentation, or the relevance or sufficiency of the course work or experience is questioned by the Department because of lack of information, discrepancies or conflicts in information given, or a need for clarification, ~~information needing further clarification and/or missing information~~, the registrant will be requested to:

- 1) ~~Provide~~ such information as may be necessary; and/or

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- 2) Appear for an interview before the Board to explain such relevance or sufficiency, clarify information given or clear up any discrepancies in information. ~~explain such relevance or sufficiency during an oral interview or~~

- 2) ~~appear for an oral interview before the Board designed to determine the individual's current competency to practice under the Act.~~

(Source: Amended at 16 Ill. Reg. 1981J effective December 7, 1992)

Section 1330.140 Continuing Education

a) Continuing Education Requirements

- 1) Each person who applies for renewal of a his license as a pharmacist shall complete 30 hours of continuing education (CE) during the 2 two calendar years preceding the expiration date of the license in accordance with Section 12 of the Act. ~~However, for licensees which expire March 31, 1988, renewal applicants will be required to complete only 22 hours of CE.~~

- 2) A renewal applicant is not required to comply with CE requirements for the first renewal after original licensure.

b) Approved Continuing Education

- 1) CE credit shall be based upon the completion of courses offered by providers approved by the American Council on Pharmaceutical Education. These courses may be completed outside the State of Illinois.

- 2) Undergraduate coursework taken after completion of a first professional degree in pharmacy through a recognized college or approved school of pharmacy (in accordance with Section 1330.20 of this Part) may be used to fulfill the CE requirement if:

- A) Evidence of course completion through an official transcript and other documentation (e.g., certificate of completion or degree) of the university or college is submitted which indicates the number of course content hours completed; and

- B) These courses are completed for college credit.

- C) CE credit will be earned for each undergraduate course completed.

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c) Certification of CE Requirements

- 1) Each renewal applicant shall certify on the his renewal application full compliance with CE requirements set forth in subsection (a), above.

- 2) The Department may require additional evidence demonstrating compliance with the CE requirements. It is the responsibility of each renewal applicant to retain or otherwise produce evidence of the such compliance (e.g., certificate of attendance or completion). ~~Such~~ ~~e~~ Evidence shall be required in the context of the Department's random audit in accordance with Section 12 of the Act.

- d) ~~The same CE hours cannot be used to fulfill the CE requirement for more than one renewal period.~~

e) Waiver of CE Requirements

- 1) Any renewal applicant seeking renewal of a his license without having fully complied with these CE requirements shall file with the Department a renewal application along with the required fee, a statement setting forth the facts concerning ~~such~~ non-compliance, and a request for waiver of the CE requirements on the basis of these ~~such~~ facts. A ~~Such~~ request for waiver shall be made prior to the renewal date. If the Department, upon the written recommendation of the Board, finds from the ~~such~~ affidavit or any other evidence submitted, that good cause has been shown for granting a waiver, the Department shall waive enforcement of such requirements for the renewal period for which the applicant has applied.

- 2) Good cause shall be defined as an inability to fulfill the CE requirements during the applicable period because of:

- A) Full-time service in the armed forces of the United States of America during such period; or

- B) Extreme hardship, which shall be determined on an individual basis by the Board and shall be limited to documentation of:

- i) ~~a~~ ~~An~~ incapacitating illness, documented by a currently licensed physician; or

- ii) ~~a~~ ~~A~~ physical inability to travel to the sites of approved programs, as documented by a currently licensed physician; or

- iii) ~~a~~ ~~Any~~ other similar extenuating circumstances (e.g., illness of family member).

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- 3) An interview before the Board with respect to a request for waiver shall be granted only if the such interview is requested at the time the request for the such waiver is filed with the Department. The renewal applicant requesting a such waiver shall be given at least 20 days written notice of the date, time and place of the such interview by certified mail, return receipt requested.
- 4) Any renewal applicant who submits a request for waiver pursuant to subsection (d)(1) of this Section shall be deemed to be in good standing until the final Department's decision on the application has been made.

(Source: Amended at 16 Ill. Reg. 19811, effective December 7, 1992.

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NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Diagnosis Related Grouping (DRG) Prospective Payment System (PPS)
- 2) Code Citation: 89 Ill. Adm. Code 149
- 3) Section Number: Adopted Action:
149.5 Amendment
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, par. 12-13) and Public Act 87-861 (House Bill 2758)
- 5) Effective Date of Amendments: December 7, 1992
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these Amendments contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: December 7, 1992
- 9) Notice of Proposal Published in Illinois Register:
July 24, 1992 (16 Ill. Reg. 11717)

- 10) Has JCAR issued a Statement of Objections to these Adopted Amendments? No
- 11) Differences between proposal and final version: No changes have been made in the text of the proposed amendments.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

- 13) Will these Amendments replace Emergency Amendments currently in effect?
Yes

- 14) Are there any Amendments pending on this Part? Yes

Sections	Proposed Action	Illinois Register Citation
149.10	New Section	September 25, 1992 (16 Ill. Reg. 14535)
149.25	Amendment	September 25, 1992 (16 Ill. Reg. 14535)
149.50	Amendment	September 25, 1992 (16 Ill. Reg. 14535)
149.75	Amendment	September 25, 1992 (16 Ill. Reg. 14535)
149.100	Amendment	September 25, 1992 (16 Ill. Reg. 14535)
149.125	Amendment	September 25, 1992 (16 Ill. Reg. 14535)
149.140	New Section	September 25, 1992 (16 Ill. Reg. 14535)
149.150	Amendment	September 25, 1992 (16 Ill. Reg. 14535)

15) Summary and Purpose of Amendments: These amendments, which have been in effect on an emergency basis, provide for the continuance of hospital inpatient DRG reimbursement levels for the period of July 1, 1992, through September 30, 1992. The rates will be maintained at the levels in effect as of June 30, 1992, for each hospital. Current reimbursement rules call for the calculation of new hospital rates for several categories of care, to be effective during the period of July 1, 1992 through September 30, 1992. Since a new reimbursement system is anticipated to begin October 1, 1992, and extensive time and resources would be required to perform the calculations required under the current rules, the Department is maintaining current rates until October 1, 1992. The maintenance of hospital rates is authorized by Public Act 87-861 in Article 4, Section 4-1.

16) Information and questions regarding these Adopted Amendments shall be directed to:

Name: Joanne Jones
Address: Bureau of Rules and Regulations
Illinois Department of Public Aid
100 South Grand Avenue East, Third Floor
Springfield, Illinois 62762
Telephone: (217) 524-3215

The full text of the Adopted Amendments begins on the next page:

Section	
149.5	Diagnosis Related Grouping (DRG) Prospective Payment System (PPS)
149.10	Applicability of Other Provisions
EMERGENCY	
149.25	General Provisions
EMERGENCY	
149.50	Hospital Services Subject to and Excluded from the DRG Prospective Payment System
EMERGENCY	
149.75	Conditions for Payment Under the DRG Prospective Payment System
EMERGENCY	
149.100	Basic Methodology for Determining DRG Prospective Payment Rates
EMERGENCY	
149.105	Payment For Outlier Cases
EMERGENCY	
149.125	Special Treatment of Certain Facilities
EMERGENCY	
149.140	Methodology for Determining Primary Care Access Health Care Education Payments
EMERGENCY	
149.140	Methodology for Determining Health Care Education Payments
EMERGENCY	
149.150	Payments to Hospitals Under the DRG Prospective Payment System
EMERGENCY	
149.175	Payments to Contracting Hospitals (Repealed)
149.200	Admitting and Clinical Privileges (Repealed)
149.205	Inpatient Hospital Care or Services by Non-Contracting Hospitals Eligible for Payment (Repealed)
149.225	Payment to Hospitals for Inpatient Services or Care not Provided under the ICARE Program (Repealed)
149.250	Contract Monitoring (Repealed)
149.275	Transfer of Recipients (Repealed)
149.300	Validity of Contracts (Repealed)
149.305	Termination of ICARE Contracts (Repealed)
149.325	Hospital Services Procurement Advisory Board (Repealed)

AUTHORITY: Implementing Article II of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1989 1991, ch. 111 1/2, par. 6503-1 et seq.) and implementing and authorized by Articles III, IV, V, VI, VII and Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989 1991, ch. 23, pars. 3-1 et seq., 4-1 et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq., and 12-13)

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SOURCE: Recodified from 89 Ill. Adm. Code 140.940 thru 140.972 at 12 Ill. Reg. 7401; amended at 12 Ill. Reg. 12095, effective July 15, 1988; amended at 13 Ill. Reg. 554, effective January 1, 1989; amended at 13 Ill. Reg. 15070, effective September 15, 1989; amended at 15 Ill. Reg. 1826, effective January 28, 1991; emergency amendment at 15 Ill. Reg. 16308, effective November 1, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 6195, effective March 27, 1992; emergency amendment at 16 Ill. Reg. 11937, effective July 10, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14733, effective October 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 19868, effective December 7, 1992.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

Section 149.5 Diagnosis Related Grouping (DRG) Prospective Payment System (PPS)

Sections 149.25 through 149.150 describe:

- a) The basis of payment for inpatient hospital services under the DRG PPS and sets forth the general basis for the system;
- b) Classifications of hospitals that are included and excluded from the DRG PPS and the requirements governing inclusion or exclusion of hospitals in the system as a result of changes in their classification;
- c) Conditions that must be met for a hospital to receive payment under the DRG PPS;
- d) The methodology by which DRG prospective rates are determined;
- e) The methodology for determining additional payments for outlier cases;
- f) The rules for special treatment of certain facilities; and
- g) The types, amounts and methods of payment to hospitals under the DRG PPS.
- h) Notwithstanding any other provisions of this Part, reimbursement to hospitals for services provided July 1, 1992 through September 30, 1992, shall be as follows:

- 1) For inpatient hospital services rendered, or, if applicable, for inpatient hospital admissions occurring, on and after July 1, 1992, and on or before September 30, 1992, the Department shall reimburse hospitals for inpatient services under the

Section 149.5(h)(1) (continued)

reimbursement methodologies in effect for each hospital, and at the inpatient payment rate calculated for each hospital, as of June 30, 1992.

- 2) For the purpose of calculating the inpatient payment rate for each hospital eligible to receive quarterly payment adjustments for targeted access and critical care, as defined by the Department on June 30, 1992, the payment adjustment for the period July 1, 1992 through September 30, 1992, shall be 25 percent of the annual adjustment calculated for each eligible hospital, as of June 30, 1992.

- 3) For the purpose of calculating the inpatient payment rate for each hospital eligible to receive quarterly payment adjustments for uncompensated care, as defined by the Department on June 30, 1992, the payment adjustment for the period August 1, 1992 through September 30, 1992, shall be one-sixth of the total uncompensated care payment adjustment calculated for each eligible hospital for the uncompensated care rate year, as defined by the Department, ending on July 31, 1992.

(Source: Amended at 16 Ill. Reg. 19868, effective December 7, 1992)

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NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Hospital Services
- 2) Code Citation: 89 Ill. Adm. Code 148
- 3) Section Number: Adopted Action:
148.20 Amendment
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, par. 12-13) and Public Act 87-861 (House Bill 2758).
- 5) Effective Date of Amendments: December 7, 1992
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these Amendments contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: December 7, 1992
- 9) Notice of Proposal Published in Illinois Register:

July 24, 1992, 1992 (16 Ill. Reg. 11719)

- 10) Has JCAR issued a Statement of Objections to these Adopted Amendments? No
- 11) Differences between proposal and final version: No changes have been made in the text of the proposed amendments.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will these Amendments replace Emergency Amendments currently in effect? Yes
- 14) Are there any Amendments pending on this Part? Yes

Sections	Proposed Action	Illinois Register Citation
148.25	New Section	September 25, 1992 (16 Ill. Reg. 14540)
148.30	Amendment	September 25, 1992 (16 Ill. Reg. 14540)
148.40	Amendment	September 25, 1992 (16 Ill. Reg. 14540)
148.50	Amendment	September 25, 1992 (16 Ill. Reg. 14540)
148.60	Amendment	September 25, 1992 (16 Ill. Reg. 14540)
148.70	Amendment	September 25, 1992 (16 Ill. Reg. 14540)
148.80	Amendment	July 10, 1992 (16 Ill. Reg. 10868)
148.82	New Section	August 21, 1992 (16 Ill. Reg. 12826)
148.120	Amendment	September 25, 1992 (16 Ill. Reg. 14540)

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Sections	Proposed Action	Illinois Register Citation
148.140	Amendment	January 31, 1992 (16 Ill. Reg. 1786)
148.140	Amendment	September 25, 1992 (16 Ill. Reg. 14540)
148.150	Amendment	September 25, 1992 (16 Ill. Reg. 14540)
148.160	Amendment	September 25, 1992 (16 Ill. Reg. 14540)
148.170	Amendment	September 25, 1992 (16 Ill. Reg. 14540)
148.180	Amendment	September 25, 1992 (16 Ill. Reg. 14540)
148.190	Amendment	September 25, 1992 (16 Ill. Reg. 14540)
148.200	Amendment	September 25, 1992 (16 Ill. Reg. 14540)
148.210	Amendment	September 25, 1992 (16 Ill. Reg. 14540)
148.220	Amendment	September 25, 1992 (16 Ill. Reg. 14540)
148.230	Amendment	September 25, 1992 (16 Ill. Reg. 14540)
148.240	Amendment	September 25, 1992 (16 Ill. Reg. 14540)
148.250	Amendment	September 25, 1992 (16 Ill. Reg. 14540)
148.260	Amendment	September 25, 1992 (16 Ill. Reg. 14540)
148.270	Amendment	September 25, 1992 (16 Ill. Reg. 14540)
148.280	Amendment	September 25, 1992 (16 Ill. Reg. 14540)
148.290	Amendment	September 25, 1992 (16 Ill. Reg. 14540)
148.310	Amendment	September 25, 1992 (16 Ill. Reg. 14540)
148.320	Amendment	September 25, 1992 (16 Ill. Reg. 14540)

- 15) Summary and Purpose of Amendments: These amendments, which have been in effect on an emergency basis, provide for the continuance of hospital reimbursement levels for services including inpatient, disproportionate share, targeted access, critical care access and uncompensated care, for the period of July 1, 1992 through September 30, 1992. The rates will be maintained at the levels in effect as of June 30, 1992, for each hospital. Current reimbursement rules call for the calculation of new hospital rates for several categories of care, to be effective during the period of July 1, 1992 through September 30, 1992. Since a new reimbursement system is anticipated to begin October 1, 1992, and extensive time and resources would be required to perform the calculations required under the current rules, the Department is maintaining current rates until October 1, 1992. The maintenance of hospital rates is authorized by Public Act 87-861 in Article 4, Section 4-1.

- 16) Information and questions regarding these Adopted Amendments shall be directed to:

Name: Joanne Jones
Address: Bureau of Rules and Regulations
Illinois Department of Public Aid
100 South Grand Avenue East, Third Floor
Springfield, Illinois 62762
Telephone: (217) 524-3215

The full text of the Adopted Amendments begins on the next page:

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TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER d: MEDICAL PROGRAMSPART 148
HOSPITAL SERVICES

Section	Hospital Services
148.10	Participation
148.20	Definitions and Applicability
EMERGENCY	
148.30	General Requirements
EMERGENCY	
148.40	Special Requirements
EMERGENCY	
148.50	Covered Hospital Services
EMERGENCY	
148.60	Services Not Covered as Hospital Services
EMERGENCY	
148.70	Limitation On Hospital Services
EMERGENCY	
148.80	Organ Transplants Services Covered Under Medicaid
148.90	Heart Transplants (Repealed)
148.100	Liver Transplants (Repealed)
148.110	Bone Marrow Transplants (Repealed)
148.120	Disproportionate Share Hospital (DSH) Adjustments
EMERGENCY	
148.130	Outlier Adjustments for Exceptionally Costly Stays
EMERGENCY	
148.140	Hospital Outpatient and Clinic Services
EMERGENCY	
148.150	Uncompensated Care Payment Adjustment for Nondisproportionate Share Hospitals
EMERGENCY	
148.160	Payment Methodology for County-Owned Hospitals in an Illinois County with a Population of Over 3 Million
EMERGENCY	
148.170	Payment Methodology for State-Owned Hospitals in an Illinois County with a Population of Over 3 Million
EMERGENCY	
148.180	Payment for Pre-operative Days, Patient Specific Orders, and Services Which Can Be Performed in an Outpatient Setting
EMERGENCY	
148.190	Copayments
EMERGENCY	
148.200	Alternate Reimbursement Systems
EMERGENCY	
148.210	Filing Cost Reports
EMERGENCY	

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148.220	Pre September 1, 1991, Admissions
EMERGENCY	
148.230	Admissions Occurring on or after September 1, 1991
EMERGENCY	
148.240	Utilization Review and Furnishing of Inpatient Hospital Services Directly or Under Arrangements
EMERGENCY	
148.250	Determination of Alternate Payment Rates to Certain Exempt Hospitals
EMERGENCY	
148.260	Calculation and Definitions of Inpatient Per Diem Rates
EMERGENCY	
148.270	Determination of Alternate Costs Per Diem Rates For All Hospitals and Payment Rates for Certain Exempt Hospital Units
EMERGENCY	
148.280	Reimbursement Methodologies for Children's Hospitals and Hospitals Reimbursed Under Special Arrangements
EMERGENCY	
148.290	Adjustments and Reductions to Total Payments
EMERGENCY	
148.300	Payment
148.310	Review Procedure
EMERGENCY	
148.320	Alternatives
EMERGENCY	
148.330	Exemptions
148.340	Subacute Alcoholism and Substance Abuse Treatment Services
148.350	Definitions
148.360	Types of Subacute Alcoholism and Substance Abuse Treatment Services
148.368	Volume Adjustment (Repealed)
148.370	Payment for Subacute Alcoholism and Substance Abuse Treatment Services
148.373	Utilization (Repealed)
148.376	Utilization, Case-Mix and Discretionary Funds (Repealed)
148.380	Rate Appeals for Subacute Alcoholism and Substance Abuse Treatment Services
148.390	Hearings
148.400	Special Hospital Reporting Requirements
AUTHORITY: Implementing Article III of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1989 1991, ch. 111 1/2, par. 6503-1 et seq.) and implementing and authorized by Articles III, IV, V, VI, VII and Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989 1991, ch. 23, pars. 3-1 et seq., 4-1 et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq., and 12-13)	
SOURCE: Sections 148.10 thru 148.390 recodified from 89 Ill. Adm. Code 140.94 thru 140.398 at 13 Ill. Reg. 9572; Section 148.120 recodified from 89 Ill. Adm. Code 140.110 at 13 Ill. Reg. 12118; amended at 14 Ill. Reg. 2553, effective February 9, 1990; emergency amendment at 14 Ill. Reg. 11392, effective July 1, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 15358, effective September 13, 1990; amended at 14 Ill. Reg. 16998, effective October 4, 1990; amended at 14 Ill. Reg. 18293, effective October 30, 1990;	

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amended at 14 Ill. Reg. 18499, effective November 8, 1990; emergency amendment at 15 Ill. Reg. 10502, effective July 1, 1991, for a maximum of 150 days; emergency expired October 29, 1991; emergency amendment at 15 Ill. Reg. 12005, effective August 9, 1991, for a maximum of 150 days; emergency expired January 6, 1992; emergency amendment at 15 Ill. Reg. 16166, effective November 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 18684, effective December 23, 1991; amended at 16 Ill. Reg. 6255, effective March 27, 1992; emergency amendment at 16 Ill. Reg. 11335, effective June 30, 1992, for a maximum of 150 days; emergency expired November 27, 1992; emergency amendment at 16 Ill. Reg. 11942, effective July 10, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14778, effective October 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 19873, effective December 7, 1992.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

Section 148.20 Participation

- a) Payment for inpatient and outpatient hospital services shall be made only to a hospital and for the following types of care:

a)1) General/Specialty,

b)2) Psychiatric,

c)3) Rehabilitation, and

a)4) End-Stage Renal Disease Treatment

- b) Notwithstanding any other provisions of this Part, reimbursement to hospitals for services provided July 1, 1992 through September 30, 1992, shall be as follows:

- 1) For inpatient hospital services rendered, or, if applicable, for inpatient hospital admissions occurring, on and after July 1, 1992, and on or before September 30, 1992, the Department shall reimburse hospitals for inpatient services under the reimbursement methodologies in effect for each hospital, and at the inpatient payment rate calculated for each hospital, as of June 30, 1992.

- 2) For the purpose of calculating the inpatient payment rate for each hospital eligible to receive quarterly payment adjustments for targeted access and critical care, as defined by the Department on June 30, 1992, the payment adjustment for the period July 1, 1992 through September 30, 1992, shall be 25 percent of the annual adjustments calculated for each eligible hospital, as of June 30, 1992.

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Section 148.20(b) (continued)

- 3) For the purpose of calculating the inpatient payment rate for each hospital eligible to receive quarterly payment adjustments for uncompensated care, as defined by the Department on June 30, 1992, the payment adjustment for the period August 1, 1992 through September 30, 1992, shall be one-sixth of the total uncompensated care payment adjustment calculated for each eligible hospital for the uncompensated care rate year, as defined by the Department, ending on July 31, 1992.

(Source: Amended at 16 Ill. Reg. 19873, effective December 7, 1992)

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NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Medical Payment
- 2) Code Citation: 89 Ill. Adm. Code 140
- 3) Section Number: Adopted Action:
140.31 New Section
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, par. 12-13) and Public Act 87-861 (House Bill 2758)
- 5) Effective Date of Amendments: December 7, 1992
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these Amendments contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: December 7, 1992
- 9) Notice of Proposal Published in Illinois Register:
July 24, 1992 (16 Ill. Reg. 11721)
- 10) Has JCAR issued a Statement of Objections to these Adopted Amendments? No
- 11) Differences between proposal and final version: Several changes have been made in the proposed amendments in response to questions from the Joint Committee on Administrative Rules.
- In Section 140.31(b), the following language was added after the word "initiated" at the end of the first sentence: "The Department shall notify the hospital of an audit at least four calendar weeks before the audit occurs, unless the hospital and the Department agree to schedule the audit at an earlier date."
- In Section 140.31(c), the following language was added after the words "mutual consent": "Additionally, if the hospital locates records that were unavailable during the audit, that data shall be submitted to the Department within 30 days after completion of the audit conducted on the hospital's premises, and that data shall be utilized in generating the audit findings."
- No other changes have been made in the text of the proposed amendments.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

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- 13) Will these Amendments replace Emergency Amendments currently in effect?
Yes. These adopted amendments replace emergency amendments adopted effective July 10, 1992, and published at 16 Ill. Reg. 11947.
- 14) Are there any Amendments pending on this Part? Yes
- | Sections | Proposed Action | Illinois Register Citation |
|--------------|-----------------|--|
| 140.12 | Amendment | November 6, 1992 (16 Ill. Reg. 17049) |
| 140.80 | New Section | October 2, 1992 (16 Ill. Reg. 15019) |
| 140.82 | New Section | October 2, 1992 (16 Ill. Reg. 15019) |
| 140.84 | New Section | October 2, 1992 (16 Ill. Reg. 15019) |
| 140.94 | Amendment | October 2, 1992 (16 Ill. Reg. 15019) |
| 140.95 | Amendment | October 2, 1992 (16 Ill. Reg. 15019) |
| 140.485 | Amendment | October 30, 1992 (16 Ill. Reg. 16495) |
| 140.488 | Amendment | October 30, 1992 (16 Ill. Reg. 16495) |
| 140.492 | Amendment | September 4, 1992 (16 Ill. Reg. 13397) |
| 140.511 | Amendment | November 20, 1992 (16 Ill. Reg. 17461) |
| 140.525 | Amendment | August 28, 1992 (16 Ill. Reg. 13211) |
| 140.538 | Amendment | August 28, 1992 (16 Ill. Reg. 13211) |
| 140.642 | Amendment | November 30, 1992 (16 Ill. Reg. 17956) |
| 140.648 | Amendment | November 13, 1992 (16 Ill. Reg. 17209) |
| 140.700 | Amendment | May 15, 1992 (16 Ill. Reg. 7576) |
| 140. TABLE K | Amendment | October 9, 1992 (16 Ill. Reg. 15296) |
- 15) Summary and Purpose of Amendments: These amendments, which have been in effect on an emergency basis, provide specific procedures for the Department to audit records of emergency services provided by hospitals to determine whether the Department's payments for these services were appropriate. The amendments include provisions concerning the maintenance of records by the hospital, access to the records by Department personnel, the manner in which the audits are conducted, final determinations, and related policies. These special provisions for emergency services audits supplement the general provisions concerning hospital audits located in Section 140.30.
- 16) Information and questions regarding these Adopted Amendments shall be directed to:

Name: Joanne Jones
Address: Bureau of Rules and Regulations
Illinois Department of Public Aid
100 South Grand Avenue East, Third Floor
Springfield, Illinois 62762
Telephone: (217) 524-3215

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER d: MEDICAL PROGRAMSPART 140
MEDICAL PAYMENT

SUBPART A: GENERAL PROVISIONS

Section
140.1 Incorporation By Reference
140.2 Medical Assistance Programs
140.3 Covered Services Under The Medical Assistance Programs for AFDC, AFDC-MANG, AABD, AABD-MANG, RRP, Individuals Under Age 18 Not Eligible for AFDC, Pregnant Women Who Would Be Eligible if the Child Were Born and Pregnant Women and Children Under Age Eight Who Do Not Qualify As Mandatory Categorically Needy
140.4 Covered Medical Services Under AFDC-MANG for non-pregnant persons who are 18 years of age or older (Repealed)
140.5 Covered Medical Services Under GA
140.6 Medical Services Not Covered
140.7 Medical Assistance Provided to Individuals Under the Age of Eighteen Who Do Not Qualify for AFDC and Children Under Age Eight
140.8 Medical Assistance For Qualified Severely Impaired Individuals
140.9 Medical Assistance for a Pregnant Woman Who Would Not Be Categorically Eligible for AFDC/AFDC-MANG if the Child Were Already Born Or Who Do Not Qualify As Mandatory Categorically Needy
140.10 Medical Assistance Provided to Incarcerated Persons

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140.11 Enrollment Conditions for Medical Providers
140.12 Participation Requirements for Medical Providers
140.13 Definitions
140.14 Denial of Application to Participate in the Medical Assistance Program
140.15 Recovery of Money
140.16 Termination or Suspension of a Vendor's Eligibility to Participate in the Medical Assistance Program
140.17 Suspension of a Vendor's Eligibility to Participate in the Medical Assistance Program
140.18 Effect of Termination on Individuals Associated with Vendor
140.19 Application to Participate or for Reinstatement Subsequent to Termination, Suspension or Barring
140.20 Submittal of Claims
140.21 Covered Medicaid Services for Qualified Medicare Beneficiaries (QMBs)

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140.22 Magnetic Tape Billings
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140.24 Payment Procedures
140.25 Overpayment or Underpayment of Claims
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140.35 False Reporting and Other Fraudulent Activities
140.40 Prior Approval for Medical Services or Items
140.41 Prior Approval in Cases of Emergency
140.42 Limitation on Prior Approval
140.43 Post Approval for Items or Services When Prior Approval Cannot Be Obtained
140.71 Reimbursement for Medical Services Through the Use of a C-13 Invoice Voucher Advance Payment and Expedited Payments
140.72 Drug Manual (Recodified)
140.73 Drug Manual Updates (Recodified)

SUBPART C: PROVIDER PARTICIPATION FEES

Section
140.80 Hospital Provider Fund
140.82 Developmentally Disabled Care Provider Fund
140.84 Long Term Care Provider Fund
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140.94 Fund/Medicaid Long Term Care Provider Participation Fee Trust Fund
140.95 Hospital Services Trust Fund
140.96 General Requirements (Recodified)
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140.99 Hospital Services Not Covered (Recodified)
140.100 Limitation On Hospital Services (Recodified)
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140.102 Heart Transplants (Recodified)
140.103 Liver Transplants (Recodified)
140.104 Bone Marrow Transplants (Recodified)
140.110 Disproportionate Share Hospital Adjustments (Recodified)
140.116 Payment for Inpatient Services for GA (Recodified)

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140.201	Payment for Hospital Services After June 30, 1982 (Repealed)
140.202	Payment for Hospital Services During Fiscal Year 1983 (Recodified)
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- 140.980 Elimination Of Aid To The Medically Indigent (AMI) Program (Emergency Expired)
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AUTHORITY: Implementing Article III of the Illinois Health Finance Reform Act (Ill. Rev. Stat., ch. 111 1/2, par. 6503-1 et seq.) and implementing and authorized by Articles III, IV, V, VI, VII and Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1991, ch. 23, pars. 3-1 et seq., 4-1 et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq., and 12-13)

SOURCE: Adopted at 3 Ill. Reg. 24, p. 166, effective June 10, 1979; rule repealed and new rule adopted at 6 Ill. Reg. 8374, effective July 6, 1982; emergency amendment at 6 Ill. Reg. 8508, effective July 6, 1982, for a maximum of 150 days; amended at 7 Ill. Reg. 681, effective December 30, 1982; amended at 7 Ill. Reg. 7956, effective July 1, 1983; amended at 7 Ill. Reg. 8308, effective July 1, 1983; amended at 7 Ill. Reg. 8271, effective July 5, 1983; emergency amendment at 7 Ill. Reg. 8354, effective July 5, 1983, for a maximum of 150 days; amended at 7 Ill. Reg. 8540, effective July 15, 1983; amended at 7 Ill. Reg. 9382, effective July 22, 1983; amended at 7 Ill. Reg. 12868, effective September 20, 1983; peremptory amendment at 7 Ill. Reg. 15047, effective October 31, 1983; amended at 7 Ill. Reg. 17358, effective December 21, 1983; amended at 8 Ill. Reg. 254, effective December 21, 1983; emergency amendment at 8 Ill. Reg. 580, effective January 1, 1984, for a maximum of 150 days; recodified at 8 Ill. Reg. 2483; amended at 8 Ill. Reg. 3012, effective February 22, 1984; amended at 8 Ill. Reg. 5262, effective April 9, 1984; amended at 8 Ill. Reg. 6785, effective April 27, 1984; amended at 8 Ill. Reg. 6983, effective May 9, 1984; amended at 8 Ill. Reg. 7258, effective May 16, 1984; emergency amendment at 8 Ill. Reg. 7910, effective May 22, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 7910, effective June 1, 1984; amended at 8 Ill. Reg. 10032, effective June 18, 1984; emergency amendment at 8 Ill. Reg. 10062, effective June 20, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 13343, effective July 17, 1984; amended at 8 Ill. Reg. 13779, effective July 24, 1984; Sections 140.72 and 140.73 recodified to 89 Ill. Adm.

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Code 141 at 8 Ill. Reg. 16354; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17899; peremptory amendment at 8 Ill. Reg. 18151, effective September 18, 1984; amended at 8 Ill. Reg. 21629, effective October 19, 1984; peremptory amendment at 8 Ill. Reg. 21677, effective October 24, 1984; amended at 8 Ill. Reg. 22097, effective October 24, 1984; peremptory amendment at 8 Ill. Reg. 22155, effective October 29, 1984; amended at 8 Ill. Reg. 23218, effective November 20, 1984; emergency amendment at 8 Ill. Reg. 23721, effective November 21, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 25067, effective December 19, 1984; emergency amendment at 9 Ill. Reg. 407, effective January 1, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 2697, effective February 22, 1985; amended at 9 Ill. Reg. 6235, effective April 19, 1985; amended at 9 Ill. Reg. 8677, effective May 28, 1985; amended at 9 Ill. Reg. 9564, effective June 5, 1985; amended at 9 Ill. Reg. 10025, effective June 26, 1985; emergency amendment at 9 Ill. Reg. 11403, effective June 27, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 11357, effective June 28, 1985; amended at 9 Ill. Reg. 12000, effective July 24, 1985; amended at 9 Ill. Reg. 12306, effective August 5, 1985; amended at 9 Ill. Reg. 13998, effective September 3, 1985; amended at 9 Ill. Reg. 14684, effective September 13, 1985; amended at 9 Ill. Reg. 15503, effective October 4, 1985; amended at 9 Ill. Reg. 16312, effective October 11, 1985; amended at 9 Ill. Reg. 19138, effective December 2, 1985; amended at 9 Ill. Reg. 19737, effective December 9, 1985; amended at 10 Ill. Reg. 238, effective December 27, 1985; emergency amendment at 10 Ill. Reg. 798, effective January 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 672, effective January 6, 1986; amended at 10 Ill. Reg. 1206, effective January 13, 1986; amended at 10 Ill. Reg. 3041, effective January 24, 1986; amended at 10 Ill. Reg. 6981, effective April 16, 1986; amended at 10 Ill. Reg. 7825, effective April 30, 1986; amended at 10 Ill. Reg. 8128, effective May 7, 1986; emergency amendment at 10 Ill. Reg. 8912, effective May 13, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 11440, effective June 20, 1986; amended at 10 Ill. Reg. 14714, effective August 27, 1986; amended at 10 Ill. Reg. 15211, effective September 12, 1986; emergency amendment at 10 Ill. Reg. 16729, effective September 18, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 18808, effective October 24, 1986; amended at 10 Ill. Reg. 19742, effective November 12, 1986; amended at 10 Ill. Reg. 21784, effective December 15, 1986; amended at 11 Ill. Reg. 698, effective December 19, 1986; amended at 11 Ill. Reg. 1418, effective December 31, 1986; amended at 11 Ill. Reg. 2323, effective January 16, 1987; amended at 11 Ill. Reg. 4002, effective February 25, 1987; Section 140.71 recodified to 89 Ill. Adm. Code 141 at 11 Ill. Reg. 4302; amended at 11 Ill. Reg. 4303, effective March 6, 1987; amended at 11 Ill. Reg. 7664, effective April 15, 1987; emergency amendment at 11 Ill. Reg. 9342, effective April 20, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 9169, effective April 28, 1987; amended at 11 Ill. Reg. 10903, effective June 1, 1987; amended at 11 Ill. Reg. 11528, effective June 22, 1987; amended at 11 Ill. Reg. 12011, effective June 30, 1987; amended at 11 Ill. Reg. 12290, effective July 6, 1987; amended at 11 Ill. Reg. 14048, effective August 14, 1987; amended at 11 Ill. Reg. 14771, effective August 25, 1987; amended at 11 Ill. Reg. 16758, effective September 28, 1987; amended at

effective April 27, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 100622, effective June 12, 1990; amended at 14 Ill. Reg. 10409, effective June 19, 1990; emergency amendment at 14 Ill. Reg. 12082, effective July 5, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 13262, effective August 6, 1990; emergency amendment at 14 Ill. Reg. 14184, effective August 16, 1990, for a maximum of 150 days; emergency amendment at 14 Ill. Reg. 14570, effective August 22, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14826, effective August 31, 1990; amended at 14 Ill. Reg. 15366, effective September 12, 1990; amended at 14 Ill. Reg. 15981, effective September 21, 1990; amended at 14 Ill. Reg. 17279, effective October 12, 1990; amended at 14 Ill. Reg. 18057, effective October 22, 1990; amended at 14 Ill. Reg. 18508, effective October 30, 1990; amended at 14 Ill. Reg. 18813, effective November 6, 1990; amended at 14 Ill. Reg. 20478, effective December 7, 1990; amended at 14 Ill. Reg. 20729, effective December 12, 1990; amended at 15 Ill. Reg. 298, effective December 28, 1990; emergency amendment at 15 Ill. Reg. 592, effective January 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 10051, effective January 18, 1991; Section 140.569 withdrawn at 15 Ill. Reg. 11174; amended at 15 Ill. Reg. 6220, effective April 18, 1991; amended at 15 Ill. Reg. 6534, effective April 30, 1991; amended at 15 Ill. Reg. 8264, effective May 23, 1991; amended at 15 Ill. Reg. 8972, effective June 17, 1991; amended at 15 Ill. Reg. 10114, effective June 21, 1991; amended at 15 Ill. Reg. 10468, effective July 1, 1991; amended at 15 Ill. Reg. 11176, effective August 1, 1991; emergency amendment at 15 Ill. Reg. 11515, effective July 25, 1991, for a maximum of 150 days; emergency expired December 22, 1991; emergency amendment at 15 Ill. Reg. 12919, effective August 15, 1991, for a maximum of 150 days; emergency expired January 12, 1992; emergency amendment at 15 Ill. Reg. 16366, effective October 22, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 17318, effective November 18, 1991; amended at 15 Ill. Reg. 17733, effective November 22, 1991; emergency amendment at 16 Ill. Reg. 300, effective December 20, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 174, effective December 24, 1991; amended at 16 Ill. Reg. 1877, effective January 24, 1992; amended at 16 Ill. Reg. 3552, effective February 28, 1992; amended at 16 Ill. Reg. 4006, effective March 6, 1992; amended at 16 Ill. Reg. 6408, effective March 20, 1992; amended at 16 Ill. Reg. 6849, effective April 7, 1992; amended at 16 Ill. Reg. 7017, effective April 17, 1992; amended at 16 Ill. Reg. 10050, effective June 5, 1992; amended at 16 Ill. Reg. 11174, effective June 26, 1992; expedited correction at 16 Ill. Reg. 111348, effective March 20, 1992; emergency amendment at 16 Ill. Reg. 11947, effective July 10, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 12186, effective July 24, 1992; emergency amendment at 16 Ill. Reg. 13337, effective August 14, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 15109, effective September 21, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 15561, effective September 30, 1992; amended at 16 Ill. Reg. 17302, effective November 2, 1992; emergency amendment at 16 Ill. Reg. 18097, effective November 17, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 19146, effective December 1, 1992; amended at 16 Ill. Reg. 19879, effective December 7, 1992.

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NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

SUBPART B: MEDICAL PROVIDER PARTICIPATION

Section 140.31 Emergency Services Audits

- a) All emergency services for which charges are made to the Department and are provided to a recipient who does not require admission as an inpatient are subject to audit.
- b) An emergency services audit shall be limited to a review of records related to services rendered within three years of the date the hospital is notified that the audit will be initiated. The Department shall notify the hospital of an audit at least four calendar weeks before the audit occurs, unless the hospital and the Department agree to schedule the audit at an earlier date. The hospital's business and professional records for at least 12 previous calendar months shall be maintained and available for inspection by authorized Department personnel on the premises of the hospital. Department personnel shall make requests in writing to inspect records more than 12 months old at least two business days in advance of the date they must be produced. These records required to be maintained shall be kept in accordance with accepted business and accounting practice and shall be legible. Such records must be retained for a period of not less than three years from the date of service or as provided by applicable State law, whichever period is longer, except that if an audit is initiated within the required retention period the records must be retained until the audit is completed and every exception resolved by settlement or by the Director's final decision.

- c) All records required to be maintained shall be available for inspection by authorized Department personnel during normal business hours. Department personnel shall make all attempts to examine such records without interfering with the professional activities of the hospital. The hospital shall make legible copies of those records requested by the Department upon completion of its inspection, and tender said copied records to the Department within two weeks after such request is made unless this time is extended by mutual consent. Additionally, if the hospital locates records that were unavailable during the audit, that data shall be submitted to the Department within 30 days after completion of the audit conducted on the hospital's premises, and that data shall be utilized in generating the audit findings. The determination that an emergency medical condition exists shall be based solely upon the review of the legible

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Section 140.31(c) (continued)

- information contained in those medical records supplied by the hospital during the audit.
- d) Authorized Department personnel shall meet with the chief executive officer of the hospital, or a person designated by the chief executive officer, upon arrival at the hospital to conduct the audit and at the conclusion of the audit. The purpose of the pre-audit meeting shall be to inform the hospital of the scope of the audit. The purpose of the post-audit meeting shall be to provide an opportunity for the auditors to discuss their preliminary findings with the chief executive officer, or a person designated by the chief executive officer. More detailed audit findings shall be provided in writing to the hospital within 120 days of the date on which the audit conducted on the hospital premises was completed.
 - e) The final determination of whether an emergency room visit was for the alleviation of severe pain or for the immediate diagnosis and/or treatment of conditions or injuries which might result in disability or death if there is not immediate treatment shall be based upon the symptoms and condition of the recipient at the time the recipient is initially examined by the hospital's emergency department physician and not upon the final determination of the recipient's actual medical condition (see Sections 140.3 and 140.5 of this Part).
 - f) Where the purpose of the audit is to determine the appropriateness of the emergency services provided, any final determination that would result in a denial of or reduction in payment to the hospital shall be based on the opinion of a physician licensed to practice medicine in all of its branches who is board certified in emergency medicine or by the appropriate health care professionals under the supervision of the physician.
 - g) The Department or its designated review agent in cases where the Department seeks to recover an extrapolated amount, shall use statistically valid sampling techniques when conducting audits as provided by Section 140.30 of this Part.
 - h) This Section shall not apply to any audits initiated prior to July 1, 1992.

(Source: Added at 16 Ill. Reg. 19879, effective December 7, 1992)

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1) Heading of the Part:

Tanning Facilities Code

2) Code Citation:

77 Ill. Adm. Code 795

3) Section Numbers:

795.10 New Section
795.20 New Section
795.30 New Section
795.40 New Section
795.50 New Section
795.60 New Section
795.70 New Section
795.80 New Section
795.90 New Section
795.100 New Section
795.110 New Section
795.120 New Section
795.130 New Section
795.140 New Section
795.150 New Section
795.160 New Section
795.170 New Section
795.180 New Section
795.190 New Section
795.200 New Section
795.210 New Section
795.220 New Section
795.Appendix A New Section
795.Appendix B New Section

4) Statutory Authority:

Implementing and authorized by the Tanning Facility Permit Act, (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 8351-1 through 8351-83.)

5) Effective Date of Rule: December 7, 1992

6) Does this Rulemaking Contain an Automatic Repeal Date? No

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7) Does this Rulemaking Contain Any Incorporations by Reference? Yes.

Federal Laws and Rules

- 1) The Federal Food, Drug and Cosmetic Act (21 U.S.C. 301 et seq.)
- 2) 21 CFR 801 Labeling (1992)
- 3) 21 CFR Subchapter J Radiological Health (1992)
- 4) 21 CFR 1003 Notification of Defects and Failure to Comply (1992)
- 5) 21 CFR 1010 Performance Standards for Electronic Products: General (1992)
- 6) 21 CFR 1040.20 Sunlamp products and ultraviolet lamps intended for use in sunlamp products (1992)

State Laws and Rules

- 1) Section 26-4 of the Criminal Code of 1961, as amended by P.A. 87-970.
- 2) The Illinois Food, Drug and Cosmetic Act (Ill. Rev. Stat. 1991, ch. 56 1/2, pars. 501 et seq.)
- 3) An Act in relation to public health. (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 22 et seq.)
- 4) The Local Health Departments Program Standard Code (77 Ill. Reg. 615)
- 5) The Illinois Plumbing Code (77 Ill. Adm. Code 890)
- 6) The Public Area Sanitary Practice Code (77 Ill. Adm. Code 895)

Codes and Standards

- 1) The National Electrical Code, 1990, National Fire Protection Association, 1 Batterymarch Park, P.O. Box 9101, Quincy, MA 02269-9101, telephone 1-800-344-3555.
- 2) Standard for Portable Sun/Heat Lamps, UL 482, Sixth Edition, July 6, 1987, Underwriters Laboratories, Inc., 333 Pfingsten Road, Northbrook, IL 60062.

8) Date Filed in Agency's Principal Office: December 1, 1992

9) Date Notice(s) of Proposal was Published in Illinois Register:

May 29, 1992 - 16 Ill. Reg. 8136.

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- 10) Has the Joint Committee on Administrative Rules issued a Statement of Objections to these Rules? No.

11) Difference Between Proposal and Final Version:

Section 795.20 Incorporated Materials

Section 26-4 of the Criminal Code of 1961, as amended by P.A. 87-970 will be included in the Incorporated Materials section as 795.20(b)(1). Subsections (b)(1) through (b)(5) in the proposed rulemaking will be renumbered as (b)(2) through (b)(6), inclusive.

Section 795.30 Definitions

The following definitions will be added to or revised in Section 795.30:

The term "Disinfect" will be revised to be defined as "Disinfect or disinfection." (revised)

"Extensively remodeled" means conversion of an existing structure for use as a tanning facility; structural additions or alterations to existing facilities; or changes, modifications or extensions of plumbing or electrical systems, excluding routine maintenance of such systems. (new)

"Injury" means any circumstance or incident resulting from the use of a tanning device, which prompts a consumer to seek medical attention. (new)

"OPERATOR" MEANS THE TRAINED PERSON DESIGNATED BY THE LICENSEE FOR THE FACILITY to control the operation of a tanning facility in compliance with the Act and this Part and TO ASSIST AND INSTRUCT THE PUBLIC IN THE CORRECT OPERATION OF THE TANNING FACILITY and its equipment (Section 5 of the Act). (revised)

"Permanent" means a minimum of five years for records related to an adult and a minimum of five years past emancipation for records related to a minor. (new)

"Photosensitizing agent" means any food, drug, cosmetic, toiletry or other substance, whether ingested or topically applied, which may induce hypersensitivity of an individual to exposure to the sun or other sources of ultraviolet radiation, resulting in inflammation of the skin and its underlying structures, often accompanied by edema. (new)

"Protective eyewear" means eyewear that has been designed and tested in accordance with the provisions set forth in 21 CFR 1040.20. Such protective eyewear must have been determined to allow for the required protection to ultraviolet radiation while also allowing for

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adequate vision to maintain balance and location of the tanning equipment's 'emergency cut-off' switch. (revised)

"TANNING EQUIPMENT" MEANS SUNLAMP PRODUCTS AND ULTRAVIOLET LAMPS INTENDED TO INDUCE SKIN TANNING THROUGH THE IRRADIATION OF ANY PART OF THE LIVING BODY. Tanning equipment includes, but is not limited to, protective eyewear, accurate timers, original equipment lamp type, protective barriers, handrails, warning labels, recommended exposure schedule, and recommended exposure distances. Tanning equipment shall be manufactured in accordance with 21 CFR 1040.20 (Section 5 of the Act). (revised)

795.40(d) Exemptions

Section 795.40(d) will be revised to read, as follows:

- d) Personal use by an individual is exempt from the provisions of this Part to the extent that such individual owns tanning equipment exclusively for personal use and no fee or other compensation is involved in the use of the tanning equipment.

Section 795.100 Report of Changes

Section 795.100 will be revised as follows:

- (a) The facility owner shall notify the Department in writing before making any change which would render the information in the application, reported pursuant to Section 795.60, no longer accurate. This requirement shall not apply to changes involving replacement of original equipment lamp types which have been determined to be compliant, or lamps designed to meet the criteria as being "compatible" with the provisions set forth in 21 CFR 1040.20.

- (b) The facility owner shall maintain, at the facility, manufacturer's literature or federal Food and Drug Administration certification demonstrating the equivalency of any replacement lamps.

- (c) The facility shall maintain a log noting the date of installation of all replacement bulbs in each piece of tanning equipment.

Section 795.130(a)(7) Denial, Suspension, Revocation or Non-Renewal of a Permit to Operate a Tanning Facility

Section 795.130(a)(7) will be revised to read, as follows:

- 7) failure to allow duly authorized agents of the Department or its designated health authorities to conduct inspections of the facility;

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Section 795.150(a)(1) Construction and Operation of Tanning Facilities

Section 795.150(a)(1) will be revised to read, as follows:

- (1) The following warning sign, provided by the Department, shall be conspicuously posted in the immediate proximity (within 3 feet) of each piece of tanning equipment; it shall be readily legible, clearly visible, and not obstructed by any barrier, equipment, or other item so that the user can easily view the warning sign before energizing the ultraviolet light generating equipment:

Danger - Ultraviolet Radiation (This indented heading must be in upper case letters.)

-Follow instructions.

-Avoid too frequent or lengthy exposure. As with natural sunlight, exposure to a sunlamp may cause eye and skin injury, sunburn and allergic reactions. Repeated overexposure may cause chronic damage characterized by wrinkling, dryness, premature aging of the skin, and skin cancer.

-Wear protective eyewear.

Failure to use protective eyewear may result in severe burns or long-term injury to the eyes. (This sentence must be in upper case letters.)

-Ultraviolet radiation from sunlamps enhances the effects of the sun. Do not sunbathe before or after exposure to ultraviolet radiation.

-Abnormal or increased skin sensitivity or burning may be caused by certain foods, medications (including, but not limited to tranquilizers, diuretics, antibiotics, high blood pressure medication, birth control pills, and skin creams), cosmetics or toiletries. Consult a physician or pharmacist before using a sunlamp if you are using prescription or non-prescription medications, have a history of skin problems, or believe yourself especially sensitive to sunlight. Pregnant women and women on birth control pills who use a tanning device may develop discolored skin.

-If you do not tan in the sun, you are unlikely to tan from the use of this product.

-Use of a tanning device may not provide a protective base in regards to sun exposure.

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Section 795.150(b)(1) Construction and Operation of Tanning Facilities

Section 795.150(b)(1) will be revised to read, as follows:

- 1) Only tanning equipment manufactured in accordance with the provisions set forth in the Code of Federal Regulations 21 CFR 1040.20, entitled "Sunlamp products and ultraviolet lamps intended for use in sunlamp products," shall be used in tanning facilities.

Section 795.150(b)(3) Construction and Operation of Tanning Facilities

Section 795.150(b)(3) will be revised to read, as follows:

- 3) Each piece of tanning equipment shall incorporate a control on the device to enable the consumer to manually terminate radiation without physically disengaging the electrical power or having contact with the ultraviolet lamp or lamp sockets.

Section 795.150(b)(4) Construction and Operation of Tanning Facilities

Section 795.150(b)(4) will be revised to read, as follows:

- 4) All tanning equipment electrical circuits shall be listed by the Underwriters Laboratory (UL) or its equivalent.

Section 795.150(b)(6) Construction and Operation of Tanning Facilities

The following will be added to the end of Section 795.150(b)(6):

Plastic sheaths inserted over individual lamps are not acceptable physical barriers to ensure that consumers do not come into contact with lamps.

Section 795.150(b)(7) Construction and Operation of Tanning Facilities

The word, "interior" will be changed to the word, "ambient."

Section 795.150(b)(8) Construction and Operation of Tanning Facilities

Section 795.150(b)(8) will be changed to read, as follows:

- 8) Defective or burned-out lamps, bulbs or filters shall be replaced with a type of the same spectral ultraviolet distribution intended for use in that device as specified on the product label on the tanning equipment, or, with lamps or filters that have been determined to meet the requirements and specifications as being "equivalent" in accordance with 21 CFR 1040.20.

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Section 795.150(b)(9) Construction and Operation of Tanning Facilities

A new Section 795.150(b)(9) will be added to read, as follows:

- f) Floors in rooms containing tanning equipment are to be constructed of nonabsorbent, easily cleanable materials. New tanning facilities shall not include carpeting in rooms containing tanning equipment. Existing facilities with carpeting in rooms containing tanning equipment shall remove the carpeting from such rooms whenever the facilities are extensively remodeled.

Section 795.160(b) Additional Requirements for Stand-Up Booths

Section 795.160(b) will be changed to read, as follows:

- b) The construction of the booth shall be such that it withstand the stress of use.

Section 795.160(c) Additional Requirements for Stand-Up Booths

The last clause of this Subsection will be revised to read, "non-slip floors shall be provided."

Section 795.170(a) Protective Eyewear

Section 795.170(a) will be revised to read, as follows:

- a) Each consumer shall be provided with protective eyewear before each tanning session, with instructions for its mandatory use.

Section 795.170(f) Protective Eyewear

Section 795.170(f) will be revised to read, as follows:

- f) Each consumer shall wear the protective eyewear as instructed. The operator shall not allow a consumer to use a tanning device if the consumer will not wear compliant protective eyewear.

Section 795.180(a) Operators

Section 795.180(a) will be revised to read, as follows:

- a) All employees designated as operators shall be trained on the correct and compliant operation of the facility and its equipment. All operators shall have received training by July 1, 1993. Employees hired on or after July 1, 1993 shall not be allowed to work as operators until they have completed the required training. Such training shall include:

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Section 795.180(a)(3) Operators

Section 795.180(a)(3) will be revised to read, as follows:

- a) 3) procedures for correct operation of the tanning facility

Section 795.180(a)(4) Operators

Section 795.180(a)(4) will be revised to read, as follows:

- 4) recognition of injuries and the facility's procedures of handling such injuries from overexposure to ultraviolet radiation;

Section 795.180(a)(10) Operators

A new Section 795.180(a)(10), including the six different skin types, added in accordance with Appendix A and B of this Part will be included in the required operator training subjects.

Section 795.180(c) Operators

Subsection 795.180(c) will be revised to read, as follows:

- c) A trained operator shall be present at the tanning facility during all operating hours, and/or while tanning equipment is in operation. No consumer shall be allowed to use the tanning equipment in the absence of a trained operator.

Section 795.180(e) Operators

Subsection 795.180(e) will be revised to read, as follows:

- e) Operators shall limit each consumer to the maximum exposure time as recommended by the manufacturer, taking the consumer's skin type into consideration. Operators shall not allow use of tanning equipment by consumers who have used the services of a tanning facility within the immediately previous twenty-four (24) hours.

Section 795.180(h) Operators

Subsection 795.180(h) will be added, as follows:

- h) No establishment shall provide for the use of tanning equipment operated via tokens in the absence of a trained operator.

Section 795.180(i) Operators

Subsection 795.180(i) will be added, as follows:

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- i) No facility shall sell, or otherwise make available to any individual, tokens used to operate tanning equipment in quantities greater than the tanning equipment manufacturer's maximum recommended exposure time for the individual.

Section 795.190(a) Records

Subsection 795.190(a) will be revised to read, as follows:

- a) At the consumer's initial visit to a tanning facility, and at least annually thereafter, such consumer shall be given a written statement of warning as described in Section 795.150(a) and sign a written statement acknowledging that he/she has read and has understood the warning statement. For illiterate or visually handicapped persons, the warning statement shall be read by the operator to the consumer in the presence of a witness. Both the witness and the operator shall sign the statement indicating it has been read to the consumer.

Section 795.190(b) Records

The reference to the "immediately previous eighteen (18) hours" in the second sentence of Section 795.190(b) will be changed to "immediately previous twenty-four (24) hours." Additionally, in the third sentence of this subsection, the words, "or record" will be added after the word, "form."

Section 795.190(c) Records

Section 795.190(c) will be revised to read, as follows:

- c) No minor under fourteen years of age shall be allowed to use a tanning device, either alone or in the presence of another individual. Minors age fourteen through seventeen shall obtain the written consent of a parent or legal guardian prior to being provided access to a tanning device. The parent or legal guardian shall sign a consent form in the presence of an operator who is not a minor, indicating that such parent or guardian has read and understood the warnings required under Section 795.150(a). The parent or guardian shall not be required to be in the tanning room or booth with the minor.

Section 795.190(d) Records

A new sentence will be added to the end of Section 795.190(d), reading:

Records shall be maintained and available for inspection for a minimum of five years past a facility's termination of business.

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Section 795.190(e) Records

A new Subsection 795.190(e) will be added stating, "Information required by this Section which is maintained by the facility on computer systems shall be regularly copied, at least monthly, and updated on storage media other than the hard drive of the computer."

Section 795.200 Injury Reports

The first paragraph of Section 795.200 will be revised, as follows:

A written report of any tanning injury or alleged injury shall be sent to the Department by the facility within ten (10) working days of its occurrence or knowledge thereof. The report shall include:

Section 795.210(c) Sanitation

Section 795.210(c) will be revised to read, as follows:

- c) Each facility shall provide to its consumers cloth towels or disposable paper towels which may not be shared. Cloth towels must be laundered with soap or detergent after each use.

Section 795.210(d) Sanitation

Section 795.210(d) will be revised to read, as follows:

- c) The operator shall have responsibility for disinfecting all surfaces which consumers have had contact within tanning devices after each consumer's use. Disinfection shall be carried out using a U.S.E.P.A. registered disinfectant.

Section 795.Appendix A

A new Appendix A, describing the six different skin types, will be added to the final rule.

Section 795.Appendix B

A new Appendix B, describing the determination of skin types, will be added to the final rule.

- 12) Have all the changes agreed upon by the Agency and the Joint Committee been made as indicated in the agreement letter issued by the Joint Committee?

Yes. Additional technical and grammatical changes recommended by the Joint Committee and the Administrative Code Division have also been made.

- 13) Will the Rules Replace an Emergency Rule Currently in Effect? No.

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14) Are there any other Amendments Pending on this Part? No.

15) Summary and Purpose of Rules:

This rulemaking implements rules pursuant to the Tanning Facility Permit Act, Public Act 87-636. It describes the purpose and scope of the rules and incorporates various statutes, rules and private standards by reference. Definitions from the Act are repeated and new definitions are added. Specific exemptions to the need for a permit are cited. Procedures for application, issuance and renewal of a permit to operate a tanning facility are detailed. Grounds for denial, suspension, revocation or non-renewal of a permit to operate a tanning facility are specified. Facility construction and operation requirements are added. Procedures related to mandatory use of protective eyewear are included. Training requirements for tanning facility operators are listed. Specific records to be completed by the consumer and maintained by the facility are described. Injury reports are mandated. General sanitation procedures are stated. Penalties and fines for noncompliance are detailed.

16) Information and Questions regarding this Adopted Rulemaking shall be directed to:

Ms. Gail DeVito, Division of Governmental Affairs, Department of Public Health, 535 West Jefferson, Fifth Floor, Springfield, Illinois 62761, 217/782-6187.

The full text of the Adopted Amendments begins on the next page:

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TITLE 77: PUBLIC HEALTH

CHAPTER I: DEPARTMENT OF PUBLIC HEALTH

PART 795

TANNING FACILITIES CODE

Section

795.10 Purpose and Scope

795.20 Incorporated Materials

795.30 Definitions

795.40 Exemptions

795.50 Liability

795.60 Application for Permit to Operate a Tanning Facility

795.70 Issuance of Permit to Operate a Tanning Facility

795.80 Expiration of Permit to Operate a Tanning Facility

795.90 Renewal of Permit to Operate a Tanning Facility

795.100 Report of Changes

795.110 Non-Transfer of Permit

795.120 Approval Not Implied

795.130 Denial, Suspension, Revocation or Non-Renewal of a Permit to Operate a Tanning Facility

795.140 Hearings

795.150 Construction and Operation of Tanning Facilities

795.160 Additional Requirements for Stand-Up Booths

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APPENDIX A Examples of Human Skin Types

APPENDIX B Determination of Skin Types

AUTHORITY: Implementing and authorized by the Tanning Facility Permit Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 8351-1 through 8351-83).

SOURCE: Adopted at 16 Ill. Reg. 19895, effective December 7, 1992.

Section 795.10 Purpose and Scope

- a) This Part provides for the issuance of a permit to operate a tanning facility using ultraviolet lamps, and regulation of the maintenance and operation of tanning facilities.
- b) In addition to the requirements of this Part, all facilities are subject to the applicable provisions of other statutes or rules incorporated in this Part.
- c) Nothing in this Part shall be interpreted as limiting the intentional exposure of patients to ultraviolet radiation for the purpose of treatment or use by a physician licensed to practice medicine in all

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of its branches.

Section 795.20 Incorporated Materials

The following materials are incorporated by reference in this Part:

- a) Federal Laws and Rules
 - 1) The Federal Food, Drug and Cosmetic Act (21 U.S.C. 301 et seq.)
 - 2) 21 CFR 801 Labeling (1992)
 - 3) 21 CFR Subchapter J Radiological Health (1992)
 - 4) 21 CFR 1003 Notification of Defects and Failure to Comply (1992)
 - 5) 21 CFR 1010 Performance Standards for Electronic Products: General (1992)
 - 6) 21 CFR 1040.20 Sunlamp products and ultraviolet lamps intended for use in sunlamp products (1992)
- b) State Laws and Rules
 - 1) Section 26-4 of the Criminal Code of 1961, as amended by P.A. 87-970, effective July 1, 1992
 - 2) The Illinois Food, Drug and Cosmetic Act (Ill. Rev. Stat. 1991, ch. 56 1/2, pars. 501 et seq.)
 - 3) The Department of Public Health Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 22 et seq.)
 - 4) The Local Health Departments Program Standard Code (77 Ill. Adm. Code 615)
 - 5) The Illinois Plumbing Code (77 Ill. Adm. Code 890)
 - 6) The Public Area Sanitary Practice Code (77 Ill. Adm. Code 895)
- c) Codes and Standards
 - 1) The National Electrical Code, 1990, National Fire Protection Association, 1 Batterymarch Park, P.O. Box 9101, Quincy MA 02269-9101, telephone 1-800-344-3555.
 - 2) Standard for Portable Sun/Heat Lamps, UL 482, Sixth Edition, July 6, 1987, Underwriters Laboratories, Inc., 333 Pfingsten Road, Northbrook IL 60062.
- d) All incorporations by reference of federal regulations and the standards of nationally recognized organizations refer to the regulations and standards on the date specified and do not include any additions or deletions subsequent to the date specified.
- e) Nothing in this Part shall relieve any person of responsibility for compliance with other pertinent Illinois and federal laws and regulations.
- f) Copies of these materials shall be on file and available for inspection by the public at the Department's central office (525 West Jefferson Street, Springfield IL 62761)

Section 795.30 Definitions

The definitions and interpretations contained in Section 201 of the Federal Food, Drug and Cosmetic Act (21 U.S.C. 301 et seq.), 21 CFR 1040.20, the Illinois Food, Drug and Cosmetic Act (Ill. Rev. Stat. 1991, ch. 56 1/2, pars. 501 et seq.) are applicable to such items when used in this Part. The

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following definitions shall also apply:

- "Act" means the Tanning Facility Permit Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 8351-1 through 8351-83).
- "Agent" means a local health department recognized by the Department.
- "Applicant" means any person who applies to the Department for a permit to maintain and operate a tanning facility.
- "Consumer" means any member of the public who is provided access to a tanning facility in exchange for a fee or other compensation, or any individual who, in exchange for a fee or other compensation, is afforded use of a tanning facility as a condition or benefit of membership or access (Section 5 of the Act).
- "Department" means the Illinois Department of Public Health or other health authority designated as its agent (Section 5 of the Act).
- "Director" means the Director of Public Health or his designee (Section 5 of the Act).
- "Disinfect or disinfection" means a process which provides an effective concentration of a United States Environmental Protection Agency approved chemical for enough time as specified by the manufacturer to reduce bacterial count, including pathogens, to a safe level (when those disease organisms which may be present are destroyed so as to prevent transfer) on tanning equipment surfaces and in toilet and handwashing facilities.
- "Extensively remodeled" means conversion of an existing structure for use as a tanning facility; structural additions or alterations to existing facilities; or changes, modifications or extensions of plumbing or electrical systems, excluding routine maintenance of such systems.
- "Facility" means tanning facility.
- "Fee" means the payment or exchange of goods, or anything of value, for the use of the tanning facility or facilities (Section 5 of the Act).
- "Individual" means any human being.
- "Injury" means any circumstance or incident, resulting from the use of a tanning device, which prompts a consumer to seek medical attention.
- "Inspection" means an official examination or observation which includes, but is not limited to, tests, surveys, and monitoring to

determine compliance with rules, regulations, orders, requirements and conditions of the Department.

"Licensee" means the same as "permittee".

"Operator" means the trained person designated by the licensee for the facility to control the operation of a tanning facility in compliance with the Act and this Part and to assist and instruct the public in the correct operation of the tanning facility and its equipment (Section 5 of the Act).

"Other compensation" means the payment or exchange of goods, or anything of value, for use of the tanning facility or facilities (Section 5 of the Act).

"Permanent" means a minimum of five years for records related to an adult and a minimum of five years past emancipation for records related to a minor.

"Permit" means a permit issued by the Department in accordance with this Part.

"Permittee" means any person who is licensed by the Department in accordance with this Part.

"Person" means any individual, corporation, partnership, firm, association, society, trust, estate, public or private institution, group, agency, political subdivision of this State, any other State or political subdivision or agency thereof, and any legal successor, representative, agent, or agency of the foregoing.

"Photosensitizing agent" means any food, drug, cosmetic, toiletry or other substance, whether ingested or topically applied, which may induce hypersensitivity of an individual to exposure to the sun or other sources of ultraviolet radiation, resulting in inflammation of the skin and its underlying structures, often accompanied by edema.

"Protective eyewear" means eyewear that has been designed and tested in accordance with the provisions set forth in 21 CFR 1040.20. Such protective eyewear must have been determined to allow for the required protection to ultraviolet radiation while also allowing for adequate vision to maintain balance and location of the tanning equipment's 'emergency cut-off' switch.

"Radiation" means ultraviolet radiation.

"Radiation machine" means any device capable of producing radiation.

"Registrant" means any person who obtains a permit or other entitlement from the Agency, and who is obligated to obtain such permit or other entitlement from the Department pursuant to the Act and this Part.

"Registration" means registration with the Department in accordance with this Part.

"Tanning equipment" means sunlamp products and ultraviolet lamps intended to induce skin tanning through the irradiation of any part of the living body. Tanning equipment includes, but is not limited to, protective eyewear, accurate timers, original equipment lamp type, protective barriers, handrails, warning labels, recommended exposure schedules, and recommended exposure distances. Tanning equipment shall be manufactured in accordance with 21 CFR 1040.20 (Section 5 of the Act).

"Tanning Facility" or "Tanning Facilities" means a room or a booth or a group of rooms or booths, structure or business that houses ultraviolet lamps or products containing lamps intended for the irradiation of any part of the living body for cosmetic or nonmedical related purposes but does not include any hotel or motel guest rooms where sunlamps are installed in the restroom area (Section 5 of the Act).

"Ultraviolet radiation" means electromagnetic radiation with wavelengths in air between two hundred (200) nanometers and four hundred (400) nanometers.

Section 795.40 Exemptions

- a) Equipment intended for purposes other than the deliberate exposure of parts of the living human body to ultraviolet radiation and that produce or emit ultraviolet radiation incidental to its proper operation are exempt from the provisions of this Part.
- b) Radiation machines while in transit or storage incidental thereto are exempt from provisions of this Part.
- c) Any physician licensed to practice medicine in all of its branches, any licensed dentist, or any licensed podiatrist is exempt from the provisions of this Part to the extent that such practitioner uses, in the practice of medicine, dentistry or podiatry, medical diagnostic and therapeutic equipment which emits ultraviolet radiation.
- d) Personal use by an individual is exempt from the provisions of this Part to the extent that such individual owns tanning equipment exclusively for personal use and no fee or other compensation is involved in the use of the tanning equipment.

Section 795.50 Liability

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Compliance with this Part does not affect the liability of a tanning facility permittee or operator or a manufacturer of a tanning device.

Section 795.60 Application for Permit to Operate a Tanning Facility

- a) Each person having a tanning facility in operation on the effective date of this Part shall apply to the Department for a permit to operate such facility within ninety (90) days following the effective date of this Part or, thereafter, prior to acquiring or establishing the operation of a tanning facility. Application for the permit shall be completed on forms prescribed by and available from the Department and shall contain all the information required by the form and any accompanying instructions. Unless otherwise stated, the term "application" as used herein shall include original and renewal applications.
- b) In the event of a change of ownership, the new owner shall apply for a permit to operate a tanning facility prior to taking possession of the property. A provisional permit may be issued by the Department until an initial inspection for a permit can be performed by the Department or its designated agent.
- c) The Department shall require at least the following information on the Application for Permit to Operate a Tanning Facility form:
 - 1) name, physical address, mailing address and telephone number(s) of the following:
 - A) the tanning facility;
 - B) the applicant (owner(s)) of the tanning facility;
 - 2) the manufacturer, model number, serial number, year and month of manufacture, and type of each ultraviolet lamp or piece of tanning equipment located within the facility;
 - 3) the primary function of the business in which the tanning facility is located;
 - 4) the geographic areas within the State to be covered, if the facility is mobile;
 - 5) copies of any posted warnings or other notices which are not required by this Part and which address the safe or proper use of tanning equipment and protective devices;
 - 6) copies of consent forms and statements which consumers, parents or guardians will be required to sign pursuant to this Part;
 - 7) names and addresses of the tanning equipment supplier(s), installer(s), and service agent(s);
 - 8) a copy of the operating procedures to be used in the tanning facility;
 - 9) the hours of operation of the tanning facility;
 - 10) the name of the on-site manager of the tanning facility;
 - 11) a signed and dated certification that the applicant has received, read and understood the requirements of this Part.
- d) Each applicant shall provide such additional information as the Department may reasonably require.
- e) Each initial application shall be submitted with a nonrefundable \$250

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- f) Each annual renewal application shall be submitted with a nonrefundable \$150 fee.
- g) If the owner owns or operates more than one tanning facility, the owner shall file a separate application and submit a separate fee for each facility owned and operated.

Section 795.70 Issuance of Permit to Operate a Tanning Facility

- a) Within 90 days after receipt of each application, the Department or its designated agent shall complete the initial inspection of the premises of such tanning facility and ensure that the premises and tanning facilities are installed and will be operated in accordance with the Act and this Part.
- b) Upon submission of the application and the required fee, and if the initial and subsequent inspections indicate that the premises and tanning facilities are installed and will be operated in accordance with the Act and this Part, the Department shall issue a permit to operate the tanning facility.
- c) The Department may stagger permit renewal dates on a quarterly basis with an initial permit being effective from 9 months to 15 months.
- d) With the exception of tanning facilities in operation on the effective date of this Part, pursuant to Section 795.60(a), no person shall operate a tanning facility until the Department has issued the permit to operate.
- e) Permits issued by the Department shall be displayed in a conspicuous place within sight of the public when entering the premises of the tanning facility.

Section 795.80 Expiration of Permit to Operate a Tanning Facility

Each permit to operate a tanning facility shall expire at the end of the specified last day of the month and year stated therein.

Section 795.90 Renewal of Permit to Operate a Tanning Facility

- a) Application for renewal of a permit shall be filed in accordance with Section 795.60.
- b) In order to renew a permit, a permittee shall file a complete application for renewal with the Department not less than thirty (30) days prior to the expiration of his/her permit, whereupon the permittee's existing permit shall not expire until the renewal application status has been finally determined by the Department.
- c) The Department may refuse to renew the permit of any owner or operator who has been found to be in violation of the Act or this Part for the safe operation of tanning facilities.
- d) Each tanning facility shall be inspected at least once each year after the initial year in which the facility was granted a permit.
- e) Each tanning facility which fails to submit an application for renewal

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of its permit to operate a tanning facility prior to the expiration of the permit shall pay a nonrefundable \$250 fee for the renewal of the permit.

Section 795.100 Report of Changes

- a) The facility owner shall notify the Department in writing before making any change which would render the information in the application, reported pursuant to Section 795.60, no longer accurate. This requirement shall not apply to changes involving replacement of the original equipment lamp types which have been determined to be compliant or lamps designed to meet the criteria as being "compatible" with the provisions set forth in 21 CFR 1040.20.
- b) The facility owner shall maintain, at the facility, manufacturer's literature or federal Food and Drug Administration certification demonstrating the equivalency of any replacement lamps.
- c) The facility shall maintain a log noting the date of installation of all replacement bulbs in each piece of tanning equipment.

Section 795.110 Non-Transfer of Permit

No permit shall be transferable from one person to another or from one tanning facility to another.

Section 795.120 Approval Not Implied

- a) No person, in any advertisement, shall refer to the fact that he or his facility has a Permit to Operate a Tanning Facility issued by the Department pursuant to the provisions of Section 795.70, and no person shall state or imply that any activity under such permit has been approved by the Department.
- b) Tanning facilities shall not claim, advertise or distribute promotional materials which claim that using a tanning device is safe or free from risk.

Section 795.130 Denial, Suspension, Revocation or Non-Renewal of a Permit to Operate a Tanning Facility

The Department may deny, suspend, revoke or refuse to renew a permit to operate a tanning facility sought or issued pursuant to this Part for any of the following reasons:

- a) the failure to submit information required pursuant to Section 795.60 which demonstrates that the tanning facility will be constructed, operated and maintained in accordance with the requirements of this Part;
- b) submission of incorrect, false or misleading information in the documents required under this Part;
- c) failure to construct, operate or maintain the tanning facility in accordance with this Part, except as such maintenance may involve the

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replacement of lamps by "equivalent" lamps which have been defined in Section 795.100 above;

- d) operation of the tanning facility in a way that causes or creates a nuisance or hazard to the public health or safety;
- e) violation of the provisions of the Act or the rules and regulations adopted by the Department;
- f) violation of any condition upon which the permit was issued;
- g) failure to allow duly authorized agents of the Department or its designated health authorities to conduct inspections of the facility;
- h) conviction of an applicant or permit holder of an offense arising from false, fraudulent, deceptive, or misleading advertising (The record of conviction or a certified copy of such record shall be conclusive evidence of the conviction.);
- i) revocation of a permit during the past 5 years, or surrender or expiration of the permit during the pendency of action by the Department to revoke or suspend the permit during the previous 5 years, if before the permit was issued to the individual applicant, a controlling owner or controlling combination of owners of the applicant, or any affiliate of the individual applicant or controlling owner of the applicant or affiliate of the applicant was a controlling owner of the prior permit;
- j) payment of permit fees or fines with checks returned for non-sufficient funds; or
- k) failure to pay any permit fees or applicable fines.

Section 795.140 Hearings

If any permit is denied, suspended, revoked or denied renewal by the Department, the applicant may request a hearing in accordance with the Act and the Department's Rules of Practice and Procedure in Administrative Hearings (77 Ill. Adm. Code 100).

Section 795.150 Construction and Operation of Tanning Facilities

Unless otherwise ordered or approved by the Department, each tanning facility shall be constructed, operated, and maintained to meet the following minimum requirements:

- a) Physical facilities
 - 1) The following warning sign, provided by the Department, shall be conspicuously posted in the immediate proximity (within 3 feet) of each piece of tanning equipment; it shall be readily legible, clearly visible, and not obstructed by any barrier, equipment, or other item so that the user can easily view the warning sign before energizing the ultraviolet light generating equipment:

Danger - Ultraviolet Radiation. (This indented heading must be in upper case letters.)

-Follow instructions.

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-Avoid too frequent or lengthy exposure. As with natural sunlight, exposure to a sunlamp may cause eye and skin injury, sunburn and allergic reactions. Repeated overexposure may cause chronic damage characterized by wrinkling, dryness, premature aging of the skin, and skin cancer.

-Wear protective eyewear.

-Failure to use protective eyewear may result in severe burns or long-term injury to the eyes. (This sentence must be in upper case letters.)

-Ultraviolet radiation from sunlamps enhances the effects of the sun. Do not sunbathe before or after exposure to ultraviolet radiation.

-Abnormal or increased skin sensitivity or burning may be caused by certain foods, medications (including, but not limited to tranquilizers, diuretics, antibiotics, high blood pressure medication, birth control pills, and skin creams), cosmetics or toiletries. Consult a physician or pharmacist before using a sunlamp if you are using prescription or non-prescription medications, have a history of skin problems, or believe yourself especially sensitive to sunlight. Pregnant women and women on birth control pills who use a tanning device may develop discolored skin.

-If you do not tan in the sun, you are unlikely to tan from the use of this product.

-Use of a tanning device may not provide a protective base in regards to sun exposure.

2) The lettering on each warning sign shall be at least 3/8 inches high for all words shown in capital letters and at least 3/16 inches high for all lower-case letters.

b) Requirements for Tanning Devices

1) Only tanning equipment manufactured in accordance with the provisions set forth in the Code of Federal Regulations (CFR) 21 CFR 1040.20, entitled "Sunlamp products and ultraviolet lamps intended for use in sunlamp products," shall be used in tanning facilities.

2) Each piece of tanning equipment shall have a timer which complies with the requirements of 21 CFR 1040.20(c)(2). The maximum timer interval shall not exceed the manufacturer's maximum recommended exposure time. No timer interval shall have an error greater than plus or minus 10% of the maximum timer interval for the product.

3) Each piece of tanning equipment shall incorporate a control on

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the device to enable the consumer to manually terminate radiation without physically disengaging the electrical power or having contact with the ultraviolet lamp or lamp sockets.

4) All tanning equipment electrical circuits shall be listed by the Underwriters Laboratory (UL) or its equivalent.

5) Tanning equipment shall meet the requirements of the National Fire Protection Association's National Electrical Code and shall have been inspected and have satisfied all the local electrical code requirements.

6) There shall be physical barriers to protect consumers from injury induced by touching or breaking the lamps. Each ultraviolet lamp shall be shielded to prevent contact with the consumer. Plastic sheaths inserted over individual lamps are not acceptable physical barriers to ensure that consumers do not come into contact with lamps.

7) Each tanning facility shall be so equipped to dissipate heat that the ambient temperature does not exceed one hundred degrees Fahrenheit (100° F.) or thirty-eight degrees Celsius (38° C.).

8) Defective or burned-out lamps, bulbs or filters shall be replaced with a type of the same spectral ultraviolet distribution intended for use in that device as specified on the product label on the tanning equipment, or, with lamps or filters that have been determined to meet the requirements and specifications as being "equivalent" in accordance with 21 CFR 1040.20.

9) Floors in rooms containing tanning equipment are to be constructed of nonabsorbent, easily cleanable materials. New tanning facilities shall not include carpeting in rooms containing tanning equipment. Existing facilities with carpeting in rooms containing tanning equipment shall remove the carpeting from such rooms whenever the facilities are extensively remodeled.

Section 795.160 Additional Requirements for Stand-Up Booths

a) There shall be physical barriers or other methods, such as handrails or floor markings, to indicate the proper exposure distance between ultraviolet lamps and the consumer's skin.

b) The construction of the booth shall be such that it will withstand the stress of use.

c) Access to the booth shall be of rigid construction; doors shall open outwardly. Handrails for the consumer to grasp during operation of the tanning equipment shall be provided; non-slip floors shall be provided.

Section 795.170 Protective Eyewear

a) Each consumer shall be provided with protective eyewear before each tanning session, with instructions for its mandatory use.

b) Protective eyewear shall meet or exceed the requirements of 21 CFR

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1040.20(c)(4). Tanning facilities shall maintain documentation to verify that protective eyewear meets federal requirements.

- c) Protective eyewear shall be properly sanitized before each use, using a sanitizing agent which is registered by the United States Environmental Protection Agency (U.S.E.P.A.) as follows:

1) immersion for at least one (1) minute in a clean solution containing at least two hundred (200) milligrams per liter (parts per million) of available quaternary ammonium compound at a temperature of at least seventy-five degrees Fahrenheit (75° F.); or

2) immersion for at least one (1) minute in a clean solution containing at least fifty (50) milligrams per liter (parts per million) of available chlorine as a hypochlorite and at a temperature of at least seventy-five degrees Fahrenheit (75° F.); or

3) immersion for at least one (1) minute in a clean solution containing at least twelve and one-half (12.5) milligrams per liter (parts per million) of available iodine and at a pH of which the efficacy has been demonstrated to be effective by the manufacturer and at temperature of at least seventy-five degrees Fahrenheit (75° F.); or

4) immersion in a clean solution containing any other chemical sanitizing agent registered by the United States Environmental Protection Agency (U.S.E.P.A.) and specifically manufactured for use with protective eyewear that will provide the equivalent bactericidal effect of a solution containing at least fifty (50) milligrams per liter (parts per million) of available chlorine as hypochlorite at a temperature of at least seventy-five degrees Fahrenheit (75° F.) for one (1) minute.

- d) A test kit or other device that accurately measures the concentration of the sanitizing solution in parts per million shall be used to measure the strength of the sanitizing solution at least once each day of tanning facility operation or more frequently as needed to ensure sufficient strength of the sanitizing solution.

e) Exposure of protective eyewear and other tanning equipment to the ultraviolet radiation produced by the tanning equipment itself shall not be considered a sanitizing agent.

f) Each consumer shall wear the protective eyewear as instructed. The operator shall not allow a consumer to use a tanning device if the consumer will not wear compliant protective eyewear.

Section 795.180 Operators

- a) All employees designated as operators shall be trained on the correct and compliant operation of the facility and its equipment. All operators shall have received training by July 1, 1993. Employees hired on or after July 1, 1993, shall not be allowed to work as operators until they have completed the required training. Such training shall include:

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- 1) knowledge of the requirements of this Part and of 21 CFR 1040.20;
- 2) proper use of U.S.F.D.A. Recommended Exposure Schedule;
- 3) procedures for correct operation of the tanning facility;
- 4) recognition of injuries and the facility's procedures of handling such injuries from overexposure to ultraviolet radiation;
- 5) manufacturer's procedures for operation and maintenance of the tanning device;
- 6) use of protective eyewear;
- 7) emergency procedures in case of injury;
- 8) effects of ultraviolet radiation, acute and chronic exposure, biological effects, and health risks;
- 9) photosensitizing agents; and
- 10) the six different skin types, in accordance with Appendices A and B of this Part.

b) A list of the facility's operators who have been trained in accordance with Section 795.180(a), noting the date of training, hours spent in training and specific materials used in training, shall be maintained and available at the facility for inspection by the Department or its designated agent.

c) A trained operator shall be present at the tanning facility during all operating hours, and/or while tanning equipment is in operation. No consumer shall be allowed to use the tanning equipment in the absence of a trained operator.

d) The operator shall instruct the consumer in the proper position to be maintained in relation to the tanning lamps; the position of the safety railing, if applicable; the manual switching device to terminate the radiation in case of emergency and reasonable exposure time.

e) Operators shall limit each consumer to the maximum exposure time as recommended by the manufacturer, taking the consumer's skin type into consideration. Operators shall not allow use of tanning equipment by consumers who have used the services of a tanning facility within the immediately previous twenty-four (24) hours.

f) Operators shall keep a list of emergency telephone numbers in view at each tanning facility. This list shall include the telephone numbers of the following:

- 1) closest hospital;
 - 2) fire department;
 - 3) emergency medical services or 911 service, if available.
- g) The operator shall maintain a list of common photosensitizing agents available for inspection by consumers.
- h) No establishment shall provide for the use of tanning equipment operated via tokens in the absence of a trained operator.
- i) No facility shall sell, or otherwise make available to any individual, tokens used to operate tanning equipment in quantities greater than the tanning equipment manufacturer's maximum recommended exposure time for the individual.

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- a) At the consumer's initial visit to a tanning facility, and at least annually thereafter, such consumer shall be given a written statement of warning as described in Section 795.150(a) and sign a written statement acknowledging that he/she has read and has understood the warning statement. For illiterate or visually handicapped persons, the warning statement shall be read by the operator to the consumer in the presence of a witness. Both the witness and the operator shall sign the statement indicating it has been read to the consumer.
- b) Each consumer desiring to use the facility shall fill out a form specifying any and all prescription medicines and over-the-counter (non-prescription) medications the consumer is taking, and any cosmetics and toiletries, including any tanning accelerators, he or she may have applied prior to using the tanning facility. The consumer shall certify that he or she has not used the services of a tanning facility within the immediately previous twenty-four (24) hours. The form or record shall be kept as a confidential, permanent part of the record of the individual's attendance and progress. No information concerning a consumer's prescription and non-prescription medications as listed on the required form or record may be released to any person without the written consent of the consumer. Such information, however, shall be made available to the Department or an agent of the Department during the regular course of an inspection.
- c) No minor under fourteen years of age shall be allowed to use a tanning device, either alone or in the presence of another individual. Minors age fourteen through seventeen shall obtain the written consent of a parent or legal guardian prior to being provided access to a tanning device. The parent or legal guardian shall sign a consent form in the presence of the operator who is not a minor, indicating that such parent or guardian has read and understood the warnings required under Section 795.150(a). The parent or guardian shall not be required to be in the tanning room or booth with the minor.
- d) A record shall be kept by the facility operator of each consumer's total number of tanning visits, dates and duration of tanning exposures and the tanning equipment used. Such records shall be kept as a permanent part of the record of the individual's attendance and progress. Records shall be maintained and available for inspection for a minimum of five years past a facility's termination of business.
- e) Information required by this Section which is maintained by the facility on computer systems shall be regularly copied, at least monthly, and updated on storage media other than the hard drive of the computer.

Section 795.200 Injury Reports

- A written report of any tanning injury or alleged injury shall be sent to the Department by the facility within ten (10) working days after its occurrence or knowledge thereof. The report shall include:
- a) the name of the affected individual;
 - b) the date of the injury;

- c) identification of the tanning equipment involved in the injury;
- d) the name, location and permit number of the tanning facility involved;
- e) the nature of the injury;
- f) the name and address of the affected individual's health care provider, if any; and
- g) any other information considered relevant to the situation.

Section 795.210 Sanitation

- a) The operator shall provide the consumers of the tanning facility access to toilet and handwashing facilities with hot and cold running water. Such facilities shall meet the following requirements:
 - 1) they shall be cleaned and disinfected at least once every 24 hours,
 - 2) they shall contain bar, liquid or powdered hand-cleaning soap in a dispenser, and
 - 3) they shall contain paper towels and a conveniently located receptacle for used paper towels, or a hand-drying device. Common towels are prohibited.
- b) Each consumer shall have access at all times to a safe and sanitary supply of drinking water.
- c) Each facility shall provide to its consumers cloth towels or disposable paper towels which may not be shared. Cloth towels must be laundered with soap or detergent after each use.
- d) The operator shall have responsibility for disinfecting all surfaces with which consumers have had contact within tanning devices, after each consumer's use. Disinfection shall be carried out using a U.S.E.P.A. registered disinfectant.
- e) Each tanning device shall be capable of being ventilated so that there is a minimum of 20 cubic feet per minute (cfm) of fresh air per occupant.
- f) Floors are to be made dry prior to each individual's use.
- g) If showers are provided:
 - 1) hot water shall be at a temperature between 110-130 degrees Fahrenheit (110-130° F.);
 - 2) shower floors shall be constructed of a non-absorbent, non-slippery material, and sloped toward a properly installed floor drain. The use of duckboards or rubber mats in the shower is not permitted; and
 - 3) shower floors and walls shall be cleaned and disinfected at least every twenty four (24) hours.
- h) The interior of the facility shall be maintained in good repair and in a safe, clean, sanitary condition, free from all accumulation of dirt and rubbish.
- i) All equipment and fixtures in the facility, if appropriate, shall be installed in accordance with the Illinois Plumbing Code, and applicable gas fitting and electrical wiring standards, as appropriate.
- j) Dogs, cats, birds, reptiles and other pets shall not be permitted in

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tanning facilities. This exclusion does not apply to guide dogs or fish in aquariums.

Section 795.220 Enforcement and Penalties

- a) Any tanning facility operating without a valid permit or operating on a revoked permit shall be guilty of committing a public nuisance.
- b) A person convicted of knowingly maintaining a public nuisance commits a Class A misdemeanor. Each subsequent offense under the Act is a Class 4 felony.
- c) Penalties or fines shall not exceed \$1,000 per day for each day the permit holder remains in violation.
- d) In addition to any other action authorized by the Act or this Part, the Department may assess fines against a tanning facility for violation of any provision of the Act or this Part. The Department shall review each inspection report according to criteria in subsections (e) through (h) below.
- e) The Department shall consider the following criteria independently and aggregately to determine whether a fine shall be assessed.
 - 1) Whether a violation has been noted on an inspection report, and whether such violation was corrected by the facility.
 - 2) Whether the facility or owner has previously been cited for a violation of the Act or rules, except that any previously cited violation shall not be considered if such violation was held to be unfounded or unapproved by a final order of the Department or by a court of competent jurisdiction, or if any previous citations for violations occurred more than three (3) years prior.
 - 3) Whether the violation is of such a nature as to result in the possibility of injury or other harm to the environment, to the owner's employees, to the building owner, users or occupants, or to the general public.
 - 4) Whether the violation appears to be the result of any degree of negligence by the owner, the operator, or the owner's other employees.
 - 5) Whether the owner demonstrated good faith efforts (e.g., taking steps to correct or agreeing to correct the cited violations within a specified period of time) to correct the violations upon receipt of oral or written notice of the violation and whether such actions in fact corrected the violation.
- f) Criteria to determine the amount of fine are the following, and all amounts determined pursuant to the criteria shall be added together to determine the total fine against the tanning facility:
 - 1) For each violation related to the operation of a tanning facility without having submitted an application for a permit to operate a tanning facility, pursuant to Section 795.60: \$250.
 - 2) For each violation related to the failure to notify the Department of changes to the information specified in the permit application, pursuant to Section 795.100: \$50.

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- 3) For each violation related to the failure to maintain an equipment maintenance log, as required by Section 795.100: \$100.
- 4) For each violation related to the failure to post warnings as required by the Act and Section 795.150(a) of this Part: \$100.
- 5) For each violation related to tanning equipment timers which fail to operate in accordance with the manufacturer's recommended exposure limit as required by Section 795.150(b)(2): \$250.
- 6) For each violation related to the presence of tanning equipment which fails to incorporate a manual control which allows the user to terminate radiation, as required by Section 795.150(b)(3): \$250.
- 7) For each violation related to the presence of tanning equipment lacking physical barriers to protect consumers from injury induced by touching or breaking of the lamps, as required by Section 795.150(b)(6): \$250.
- 8) For each violation related to the use of lamps and bulbs which are not certified for use in the equipment in which they are found to be installed as required by Section 795.150(b)(8): \$250.
- 9) For each violation related to the absence of an adequate supply of eyewear meeting the specifications of 21 CFR 1040.20, as required by Section 795.170(a): \$250.
- 10) For each violation related to the failure to properly sanitize eyewear in accordance with Section 795.170(c): \$100.
- 11) For each violation related to allowing consumers to use tanning equipment without use of protective eyewear as required by Section 795.170(f): \$250.
- 12) For each violation in which the tanning facility was operated in the absence of a trained operator as required by Section 795.180(c): \$250.
- 13) For each violation related to the failure to maintain consumer use records as required by the Act and Section 795.190 of this Part: \$250.
- 14) For each violation related to the failure to maintain prescription and non-prescription drug information required by Section 795.190(b) in a confidential manner: \$500.
- 15) For each violation allowing the use of tanning equipment by minors under the age of 14 or use by an individual age 14 to 17 without a signed consent form by a parent or guardian as required by Section 795.190(d): \$250.
- 16) For each violation in which an injury resulting from the use of the tanning equipment was not reported to the Department as required by Section 795.200: \$500.
- 17) For each violation related to the failure to provide proper sanitation of tanning equipment or the tanning facility as required by Section 795.210: \$100.
- g) Violation of any provision of the Tanning Facility Permit Act or any provision of the rules of this Part shall be issued as the following:
 - 1) First violation - the permittee shall be issued a warning letter.

- 2) Second violation - the permittee shall be issued a fine according to Section 795.220. The repeat violation fine will be a minimum of \$250 plus a fine according to this Section.
- 3) Third violation - the permittee shall be issued a fine according to Section 795.220. The repeat violation fine will be a minimum of \$500 plus a fine according to this Section. The permittee shall be notified of the Department's intent to revoke the permit and shall be offered a hearing in accordance with Section 795.140.
- h) Each day a violation exists shall constitute a separate violation.
- i) The Department shall serve any notice of assessment of fine on the permittee in the same manner as any notice of permit revocation provided pursuant to the Act and this Part, and the permittee shall have the same rights and opportunity for hearing as elsewhere provided pursuant to the Act and this Part. In the event that the permittee does not request a hearing within the time allowed by the Act and this Part, the fine assessed shall be due in full at the expiration of time allowed to request hearing.
- j) All fine assessment which are upheld in whole or in part by final order of the Department shall be due in full at the conclusion of the time period for filing for administrative review pursuant to the Administrative Review Law (Ill. Rev. Stat. 1991, ch. 110, pars. 3-101 et seq.), unless the permittee has within that time filed proceedings in administrative review specifically appealing the fine assessment and unless the court has stayed the enforcement of the fine assessment.
- k) Following the notice of violation, the Department or its agent shall reinspect a facility to determine compliance with the Act and this Part.

Section 795. Appendix A Examples of Human Skin Types

Skin Types	Sun Sensitivity	Pigmentary Response
I	Always burns easily	Little or no tan
II	Always burns	Minimal tan
III	Sensitive, burns moderately	Tans gradually
IV	Moderately sensitive, burns minimally	Tans easily, light brown
V	Minimally sensitive, burns rarely	Tans darkly, dark brown
VI	Insensitive, does not burn	Darkly pigmented

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Section 795-Appendix B Determination of Skin Types

A. Determination based on your hereditary disposition	0	1	2	3	4	Your Points Per Question
1. What is the color of your eyes?	Light blue, gray or green	Blue, gray or green	Blue	Dark brown	Brownish black	
2. What is the color of your hair?	Sandy red	Blond	Chestnut/dark blond	Dark brown	Black	
3. What is the color of your unradiated skin?	Reddish	Very pale	Pale with beige tint	Light brown	Dark brown	
4. Are there freckles on your unradiated skin?	Many	Several	Few	Incidental	None	
B. Determination based on your own experience with sunbathing (to the unexposed skin)	0	1	2	3	4	
1. What happens when you stay long in the sun?	Painful redness, peeling, blistering	Burns regularly with peeling	Burns sometimes with peeling	Burns rarely	Never burns	
2. To what degree do you turn brown?	Hardly or not at all brown	Tans a little, a light color	Tans reasonably	Tans very easily	Quickly turns dark brown	
3. Do you turn gray-brown directly after (within several hours) sunbathing?	Never	Hardly	Sometimes	Often	Always	
4. How does your face react to the sun?	Very sensitive	Sensitive	Normal	Very resistant	Never a problem	
C. Your tanning habits	0	1	2	3	4	
1. When sunbathing, do you try to tan your whole body?	Never	Hardly ever	Sometimes	Often	Always	
2. When did you last sunbathe (even under a sunlamp)?	More than 3 months ago	2-3 months ago	1-2 months ago	Less than a month ago	Less than 16 days ago	
TOTAL						

Total Score	Skin Sensitivity	Skin behavior estimate (possibly exposed)
0 - 7	Very sensitive	I
8 - 16	Sensitive	II
17 - 25	Normal	III
> 25	Very resistant	IV

Heading of the Part: Procedures and Standards

Code Citation: 92 Ill. Adm. Code 1001

Section Numbers: Emergency Action:

1001.410 Amendment
1001.440 Amendment

Statutory Authority: Subpart A implementing Sections 2-113, 2-118, 6-205, 6-206, and 6-108 and authorized by Sections 2-103; and 2-104 of the Illinois Vehicle Code (Ill. Rev. Stat. 1991, ch. 95½, pars. 2-103, 2-104, 2-106, 2-107, 2-108, 2-113, 2-114, 2-118). Subpart B implementing Chapter 7 and authorized by Sections 2-103, 2-104, 2-106, 2-107, 2-108, 2-113, 2-114, and 7-101 of the Illinois Vehicle Code (Ill. Rev. Stat. 1991, ch. 95½, pars. 2-103, 2-104, 2-106, 2-107, 2-108, 2-113, 2-114, and 7-101). Subpart C implementing Sections 6-205(c) and 6-206(c)3 and authorized by Sections 2-103 and 2-104 of Chapter 95½ of the Illinois Vehicle Code (Ill. Rev. Stat. 1991, ch. 95½, pars. 2-103, 2-104, 6-205(c), and 6-206(c)3). Subpart D authorized by Section 2-104 of the Illinois Vehicle Code and implementing Sections 6-103, 6-205(c), 6-206(c)3, and 6-208 of the Illinois Vehicle Code (Ill. Rev. Stat. 1991, ch. 95½, pars. 2-104, 6-103, 6-205(c), 6-206(c)3, and 6-208).

Effective Date of Amendments: December 8, 1992

If this emergency amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire: No

Date File in Agency's Principal Office: December 4, 1992

Reason for Emergency: The recent adoption of amendments to DASA rules effective November 1, 1992, regarding classification levels and treatment requirements as they apply to alcohol/drug related loss of driving privileges. See 77 Ill. Adm. Code 2056. The Secretary of State rules in this area must be consistent with the DASA rules since the Secretary of State rules are based upon and reference the DASA rules.

A Complete Description of the Subjects and Issues Involved: Amend the classification levels and treatment requirements for individuals who have lost their driving privileges due to alcohol/drug related sanctions.

Are there any other proposed amendments pending on this Part? No

Statement of Statewide Policy Objectives: These proposed amendments will not require a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.

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- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to comment on these proposed amendments may submit written comments no later than 45 days after the publication of this Notice to:

Jay L. Mesri, Senior Legal Advisor
Secretary of State
Department of Administrative Hearings
Room 200, Michael J. Howlett Building
Springfield, Illinois 62756

The full text of the emergency amendments begins on the next page:

NOTICE OF EMERGENCY AMENDMENTS

TITLE 92: TRANSPORTATION
CHAPTER II: SECRETARY OF STATE

PART 1001
PROCEDURES AND STANDARDS

SUBPART A: FORMAL ADMINISTRATIVE HEARINGS

Section	
1001.10	Applicability
1001.20	Definitions
1001.30	Right to Counsel
1001.40	Appearance of Attorney
1001.50	Special Appearance
1001.60	Substitution of Parties
1001.70	Commencement of Actions; Notice of Hearing
1001.80	Motions
1001.90	Form of Papers
1001.100	Conduct of Formal Hearings
1001.110	Orders
1001.120	Record of Hearings
1001.130	Invalidity

SUBPART B: ILLINOIS SAFETY RESPONSIBILITY HEARINGS

Section	
1001.200	Applicability
1001.210	Definitions
1001.220	Hearings: Notice; Location; Procedures; Record
1001.230	Rules of Evidence
1001.240	Scope of Hearings
1001.250	Decisions and Orders
1001.260	Rehearings
1001.270	Judicial Review
1001.280	Invalidity

SUBPART C: RULES ON THE CONDUCT OF INFORMAL HEARINGS
IN DRIVERS LICENSE SUSPENSIONS AND REVOCATIONS

Section	
1001.300	Applicability
1001.310	Definitions
1001.320	Right to Representation
1001.330	Records and Reports
1001.340	Location of Hearings
1001.350	Duties and Responsibilities
1001.360	Decisions
1001.370	Invalidity

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SUBPART D: STANDARDS FOR THE GRANTING OF RESTRICTED DRIVING PERMITS, REINSTATEMENT, AND THE TERMINATION OF CANCELLATIONS OF DRIVING PRIVILEGES BY THE OFFICE OF THE SECRETARY OF STATE

Section
1001.400 Applicability
1001.410 Definitions
EMERGENCY
1001.420 General Provisions Relating to the Issuance of Restricted Driving Permits
1001.430 General Provisions for Reinstatement of Driving Privileges after Revocation
1001.440 Provisions for Alcohol and Drug Related Revocations, Suspensions, Cancellations, and Denials
1001.450 New Hearings
1001.460 Requests for Modification of Revocations and Suspensions
1001.470 Renewal, Correction and Cancellation of RDP's
1001.480 Unsatisfied Judgement Suspensions
1001.485 Reinstatement Application Based Upon Issuance of Drivers License in a State Which is a Member of the Driver License Compact
1001.490 Invalidity

AUTHORITY: Subpart A implementing Sections 2-113, 2-118, 6-205, 6-206, and 6-108 and authorized by Sections 2-103; and 2-104 of the Illinois Vehicle Code (Ill. Rev. Stat. §9891991, ch. 95½, pars. 2-103, 2-104, 2-106, 2-107, 2-113, 2-114, 2-118). Subpart B implementing Chapter 7 and authorized by Sections 2-103, 2-104, 2-106, 2-107, 2-108, 2-113, 2-114, and 7-101 of the Illinois Vehicle Code (Ill. Rev. Stat. §9891991, ch. 95½, pars. 2-103, 2-104, 2-106, 2-107, 2-108, 2-113, 2-114, and 7-101). Subpart C implementing Sections 6-205(c) and 6-206(c)3 and authorized by Sections 2-103 and 2-104 of Chapter 95½ of the Illinois Vehicle Code (Ill. Rev. Stat. §9891991, ch. 95½, pars. 2-103, 2-104, 6-205(c), and 6-206(c)3). Subpart D authorized by Section 2-104 of the Illinois Vehicle Code and implementing Sections 6-103, 6-205(c), 6-206(c)3, and 6-208 of the Illinois Vehicle Code (Ill. Rev. Stat. §9891991, ch. 95½, pars. 2-104, 6-103, 6-205(c), 6-206(c)3, and 6-208).

SOURCE: Adopted and codified at 7 Ill. Reg. 7501, effective June 17, 1983; amended at 8 Ill. Reg. 4220, effective April 1, 1984; emergency amendment at 9 Ill. Reg. 17030, effective October 18, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 4538, effective March 18, 1986; amended at 11 Ill. Reg. 17844, effective October 15, 1987; amended at 13 Ill. Reg. 15803 effective October 1, 1989, amended at 14 Ill. Reg. 2601 effective February 15, 1990; amended at 14 Ill. Reg. 16041, effective October 1, 1990; emergency amendment at 16 Ill. Reg. 19926, effective December 8, 1992, for a maximum of 150 days.

NOTE: Capitalization denotes Statutory language.

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SUBPART D: STANDARDS FOR THE GRANTING OF RESTRICTED DRIVING PERMITS, REINSTATEMENT, AND THE TERMINATION OF CANCELLATIONS OF DRIVING PRIVILEGES BY THE OFFICE OF THE SECRETARY OF STATE

Section 1001.410 Definitions
EMERGENCY

"Abstinence" means to refrain from consuming any type of alcoholic liquor or drugs.

"Abstract" means a summary of a driver's record of traffic law violations, accidents, suspensions, revocations, cancellations, address and personal information of the driver, as contained in the files of the Office of the Secretary of State.

"Accredited educational course" means any class or course of instruction offered by an accredited educational institution, which course is either vocational in nature, or is part of the matriculation process in receiving an academic degree, diploma, or certificate. It shall also include attendance at any required instructional class in an apprentice program.

"Accredited educational institution" means any school, or institution, whether public or private, which offers classes or courses of instruction, and which is reviewed and approved or granted a waiver of approval by the controlling state agency.

"Alcohol and Drug Evaluation (Original)" means a typewritten report which conforms to standards established by the Illinois Department of Alcoholism and Substance Abuse (DASA). (See 77 Ill. Adm. Code 2056.305) The evaluation must be completed on a form prescribed by DASA. The evaluation must be signed and dated by both the evaluator and the Petitioner.

"Alcohol and Drug Evaluation (Update)" means a typewritten report which conforms to standards established by the Department, as specified in Section 1001.440(a)(6)(B) of this Subpart. The evaluation must be completed on a form prescribed by the Department. The update evaluation must be completed by the program which did the original evaluation.

"Alcohol and Drug Related Driver Remedial Program" means an education program concerning the effects of alcohol/drugs on drivers of motor vehicles.

"Applicant" or "Petitioner" is the party who seeks or applies for relief from the Office from the suspension, revocation, cancellation, or denial of his/her driving privileges pursuant to the provisions of the Illinois Vehicle Code.

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"BAC" means blood alcohol concentration as determined by a chemical test administered by police authorities or medical personnel to measure the concentration of alcohol in the bloodstream.

"Clinical Impression" means a qualified professional's (See definition of "Alcohol or Drug Evaluation") interpretation of specific data, which is obtained during an evaluation process, regarding the nature and extent of an individual's use of alcohol and/or other drugs.

"DASA" means the Illinois Department of Alcoholism and Substance Abuse.

"Department" means the Department of Administrative Hearings of the Office of the Secretary of State.

"Designated Driver Remedial or Rehabilitative Program" means an alcohol or drug evaluation, an alcohol or drug related driver remedial program, an alcohol or drug treatment program, the Office driver improvement program, or any similar program intended to diagnose and change an Applicant's driving problem as evidenced by the Applicant's abstract. (See Sections 6-205(c) and 6-206(c)3 of the Code.

"Director" means the Director or Acting Director of the Department.

"Documentation of Abstinence" means testimony and documentation, in the form of affidavits, letters, etc. from individuals who have regular, frequent contacts with the Petitioner (e.g. spouse, significant other, employer, co-workers, roommates) verifying that to the best of their knowledge the Petitioner has been abstinent from alcohol/drugs for a specified period of time.

"Driver License Compact" is an agreement among signatory states which deals with the problems of: issuing drivers licenses to people who move from one signatory state to another; and drivers who are licensed in one signatory state and convicted of traffic offenses in other such states. Said Compact has been codified in Illinois and is found in Chapter 6, Article VII, of the Code.

"DUI" means driving under the influence.

"DUI Disposition" means any conviction or supervision for DUI, or any conviction of reckless driving reduced from DUI, and any statutory summary suspension or implied consent suspension.

"Employ" or "Employed" or "Employment" shall all relate to activity for compensation to support oneself or one's dependents as well as activities ordered by a court in connection with a sentence which

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includes the completion of a term of community service.

"Evaluator" means any person qualified to conduct an alcohol and drug evaluation, which would include either a staff member of a DUI program licensed by DASA who satisfies that Department's qualifications, or physician. Evaluations may be performed by staff members of hospital based DUI programs where: the program is licensed by DASA to provide evaluations; the Petitioner has participated in and completed alcohol/drug treatment at the hospital; or where a previous evaluation by the program was submitted and accepted by the office of the Secretary of State. (See 77 Ill. Adm. Code 2056.1).

"Fee" means the statutory fees for restricted driving permits or reinstatement of driving privileges, as specified in Section 6-118 of the Code.

"Hearing" means Informal Hearings and Formal Hearings.

"JDP" means a Judicial Driving Permit, as defined by Section 6-206.1 of the Code which may be ordered by the court of venue to "first offenders" as defined in Section 11-501.1 of the Code.

"Level I - Non-problematic-(Minimal Risk)" means the classification resulting from an alcohol and drug evaluation assigned to an Applicant Petitioner who has no prior convictions or court ordered supervisions for DUI; or statutory summary suspension or reckless driving conviction reduced from DUI, and a blood alcohol concentration (BAC) at-time-of-arrest of less than .20, .15 as a result of the most current arrest for DUI, and no other symptoms of alcohol or drug substance abuse or dependence within-the-past-twelve-months. (See 77 Ill. Adm. Code 2056.310).

"Level II - Problematic-Use-(Moderate Risk)" means the classification resulting from an alcohol and drug evaluation assigned to an Applicant Petitioner who has no prior conviction(s) or court ordered supervision(s) for DUI or statutory summary suspension or reckless driving conviction reduced from DUI and a blood alcohol concentration (BAC) at-the-time-of-arrest of .20-or-higher .15 to .19 or a refusal of chemical testing as a result of the most current arrest for DUI, and no other symptoms of alcohol-or-drug substance abuse within-the-past-twelve-months: or dependence. (See 77 Ill. Adm. Code 2056.310).

"Level III - Problematic-Use-(Significant Risk)" means the classification resulting from an alcohol and drug evaluation assigned to an Applicant Petitioner who has a prior conviction(s) or court ordered supervision(s) for DUI or statutory summary suspension or reckless driving conviction reduced from DUI and/or a blood alcohol concentration (BAC) of .20 or higher as a result of the most current

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"Support/Recovery Program" means specific activities which a recovering alcoholic/chemically dependent person has incorporated into his/her lifestyle to help support his/her continued abstinence from alcohol and other drugs. This may include, but is not limited to participating in a self-help group (Alcoholics Anonymous, Narcotics Anonymous, etc.), a professional support group, or regularly and frequently engaging in religious activities which have a distinct and positive effect on an individual's continued abstinence. Any activity and its relationship to the individual's ability to remain abstinent must be clearly identified and verified by proper documentation independent from an individual's self report (such as indicated in Section 1001.440(e)-(i)). The Hearing Officer shall determine the viability of the activity as a means of supporting continued abstinence, taking into account all the evidence brought forward at the hearing.

"Undue Hardship" as it relates to educational pursuits means an extreme difficulty in getting to and from the location of the accredited education course, due to the loss of driving privileges. It is more than mere inconvenience to the Applicant, and pertains only to the Applicant. All other reasonable means of transportation must be unavailable to the Applicant. An undue hardship is not shown by the mere fact that the driving privileges are suspended or revoked.

"Undue Hardship" relating to employment means, as used in the context of Sections 6-205(c) and 6-206(c)3 of the Code an extreme difficulty in regard to getting to or from an Applicant's place of employment or to operate on a route during employment, e.g. as delivery person, because of the suspension, revocation, or cancellation of the Applicant's driving privileges. It is more than mere inconvenience on the Applicant, and pertains only to the Applicant. All other reasonable means of transportation must be unavailable to the Applicant. An undue hardship is not shown by the mere fact that the driving privileges are suspended or revoked.

"Undue Hardship" as it relates to necessary medical care means an extreme difficulty in regard to getting to and from a location where an Applicant or a member of his/her immediate family receives examinations, therapy or treatment, etc., prescribed or recommended by a physician and, in the case of a diagnosis or clinical impression of alcoholism/chemical dependency, where an Applicant is participating in an ongoing support program as prescribed or recommended by a physician or other qualified professional. It means more than mere inconvenience. There must be no other reasonable alternative means of transportation available. An undue hardship is not demonstrated by the mere fact that the Applicant's driving privileges are suspended or revoked.

arrest for DUI and/or other symptoms of alcohol-or-drug substance abuse. (See 77 Ill. Adm. Code 2056.310).

"Level III - Problematic Use Dependent (High Risk)" means the classification resulting from an alcohol and drug evaluation assigned to an Applicant Petitioner with: 1) symptoms of alcohol and/or drug substance dependence (regardless of driving record), hereinafter referred to as Level III Dependent; and/or 2) two prior convictions or court ordered supervisions for DUI or statutory summary suspensions or reckless driving convictions reduced from DUI or any combination thereof resulting from separate incidents, within the ten (10) year period prior to the date of the most current (third or subsequent) arrest, hereinafter referred to as Level III Non Dependent. (See 77 Ill. Adm. Code 2056.310).

"National Driver Register" means a central index, maintained by the U.S. Department of Transportation, of individuals whose driving privileges are denied, terminated or withdrawn, as reported by the states' driver licensing authorities.

"Office" means the Office of the Secretary of State and not any particular department address, or location.

"Reinstatement" means the restoration of driving privileges entitling the Applicant to apply for a new drivers license in accordance with the requirements of the Illinois Vehicle Code and the Rules promulgated thereunder.

"Respondent" means a person against whom a complaint or petition is filed, or who, by reason of interest in the subject matter of a petition of application or the relief sought therein, is made a Respondent or to whom an order or complaint is directed by the Department initiating a proceeding.

"RDP" means a restricted driving permit, as defined by Section 1-173.1 of the Code and limited as specified in Sections 6-205(c) and 6-206(c)(3) of the Code.

"Secretary" means the Illinois Secretary of State.

"Self-help Program" means an independent non-profit organization comprised of individuals who hold voluntary meetings specifically to help each member to achieve and/or maintain abstinence from alcohol and/or other drugs.

"Significant Other" means any person with whom an individual is experiencing an ongoing, close association that represents a meaningful part of that individual's established lifestyle (e.g. spouse, other family member, employer, co-worker, clergy member, roommate).

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(Source: Emergency amendment at 16 Ill. Reg. 19926., effective December 8, 1992 for a maximum of 150 days.)

Section 1001.440 Provisions for Alcohol and Drug Related Revocations, Suspensions, Cancellations, and Denials

a) In any application for reinstatement, a RDP, the termination of an order of cancellation, or relief following the denial of an application for driving privileges, all Applicants must submit an alcohol and drug evaluation and, where required, evidence of successful completion of an alcohol and drug-related driver remedial course and/or evidence of successful completion of treatment or proof of adequate rehabilitative progress. Out-of-State Applicants who seek relief from an Illinois suspension or revocation and who have been classified as Level I or II in an alcohol and drug evaluation must provide proof of the successful completion of a licensed alcohol/drug remedial education course.

1) An alcohol and drug evaluation submitted by a resident of Illinois must have been conducted by an individual or an agency licensed by DASA, a physician licensed to practice medicine and to provide evaluations, or a hospital based DUI program where an applicant has received substance abuse treatment or has previously submitted such an evaluation at a prior hearing. An alcohol or drug-related remedial course completed by an Illinois resident must have been provided by an individual or agency licensed by DASA. Exceptions to these requirements will be allowed in the cases listed below. In such case, the evaluation and remedial course must be provided by an individual or agency accredited by the state in which the individual or agency operates. (See 77 Ill. Adm. Code 2056.5):

- A) If the Petitioner is currently and has been continuously employed outside the state of Illinois for a period of at least three (3) months;
 - B) If the Petitioner received treatment for alcohol or drug abuse from a treatment program located outside the State of Illinois, which has been appropriately accredited by the state in which it operates;
 - C) If the Petitioner is a member of the military who at the time of application is stationed outside the State of Illinois;
 - D) If the Petitioner is a student at a college, university or technical school located outside the State of Illinois.
- 2) The choice of these programs is within the discretion of the

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Applicant. The evidence submitted must be typewritten, although the evaluator may testify at any hearing.

3) The Department may provide Applicants who inquire with a list of programs, from which the Applicant may choose an evaluator and remedial programs, but the Applicant is not limited to the use of persons or programs on this list.

4) The alcohol and drug evaluation as defined in Section 1001.410 must conform to the standards for an evaluation set by DASA. (See 77 Ill. Adm. Code 2056.305). The evaluation must be signed and dated by both Petitioner and evaluator.

5) The alcohol and drug-related driver remedial program must, at a minimum, conform to the standards for alcohol/drug remedial education courses set by DASA. (See 77 Ill. Adm. Code 2056. Subpart D).

6) The alcohol and drug evaluation must be current, which is defined as having been completed within six (6) months of the date of the hearing.

A) Updates of original evaluations shall be conducted only by the same program which conducted the original evaluation, unless the Applicant's case file is transferred to another program which prepares the update. If an update cannot be obtained from the original records, then another original evaluation must be submitted.

B) An updated evaluation shall contain, at a minimum, the following: a description of alcohol/drug use and/or abuse covering the time since the last evaluation or update; any impairment of significant life areas since the last evaluation or update; (77 Ill. Adm. Code 2056.305(a)(2)(C)) the evaluator's previous and current alcohol/drug-use classification of the Applicant; any current recommendation(s) and the rationale for such recommendation(s); and an indication that Petitioner has or has not completed all prior recommendations. The updated evaluation must be corroborated by an interview with a family member or significant other. The information obtained must be summarized and the evaluator should indicate whether it corroborates the data provided by the Applicant. The updated evaluation must be type-written on a form provided by the Department, and verified by the evaluator. The program must meet the same standards as programs qualified to prepare original evaluations. (See subsection (a)(1)).

7) The Hearing Officer shall require an alcohol/drug evaluation to

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be completed and submitted by the Applicant, as part of the Secretary's investigation process, where the evidence indicates that alcohol or other drugs may have been involved in a traffic violation, traffic accident or any crime.

- 8) Any alcohol or drug related remedial course required as a result of an evaluation must be completed on a date after the most recent alcohol/drug related violation.

- b) Before any driving relief will be granted, the Applicant must prove by clear and convincing evidence: that he/she does not have a current problem with alcohol or other drugs; that he/she is a low or minimal risk to repeat his/her past abusive behaviors and the operation of a motor vehicle while under the influence of alcohol or other drugs; and that he/she has complied with all other standards as specified in this Subpart D. If the evidence establishes that the Applicant has had an alcohol/drug problem, the Applicant must also prove that said problem has been resolved.

- 1) Applicants Petitioners whose use of alcohol/drugs has been classified as Non-Problematic (Level I) Minimal Risk must document successful completion of a 10 hour alcohol/drug remedial education course by submission of a document which reflects the completion of the requirements contained in 77 Ill. Adm. Code 2056-565(a)--through--(d)--where--Applicable: Subpart D.

- 2) Applicants Petitioners whose use of alcohol/drugs has been classified as Problematic (Level II) Moderate or Significant Risk must document successful completion of an alcohol/drug remedial course as specified in (1) above and the treatment recommended by the evaluator or other qualified professional recommended on referral by the evaluator. The treatment must be provided by an individual or agency licensed to provide such treatment by DASA or the Department of Public Health, or an individual therapist who is licensed as a private practitioner by the Illinois Department of Professional Regulation, or an out-of-state individual therapist or agency properly licensed by the state in which they operate.

- 3) Applicants Petitioners classified as Problematic-Use;--Dependent (Level III) Dependent must document abstinence as required in subsection (e) below; the completion of treatment provided by a facility or facilitator licensed by DASA or the Illinois Department of Public Health, an individual therapist who is licensed as a private practitioner by the Illinois Department of Professional Regulation, or an out-of-state individual therapist or agency properly licensed by the state in which they operate; the establishment of an ongoing support/recovery

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program; and the completion of compliance with any additional treatment recommendations of his/her evaluator; or treatment provider.

- 4) Petitioner's classified as Level III Non Dependent must document: non-problematic use as provided in (f) below; treatment provided by a facility or facilitator licensed by DASA or the Illinois Department of Public Health, an individual therapist who is licensed as a private practitioner by the Illinois Department of Professional Regulation, or an out-of-state individual therapist or agency properly licensed by the state in which they operate; compliance with any additional recommendations of his/her evaluator or treatment provider, including abstinence; and the further assessment by the treatment provider to identify the disorder causing the high risk behavior as required by DASA. (See 77 Ill. Adm. Code 2056.315).

- 45) In the event that a treatment provider does not require an individual classified Level II or Level III to complete at least the minimum amount and type of treatment specified by DASA, the treatment provider must supply the Department with a detailed explanation of the rationale for that decision. The treatment provider may not, however, under any circumstances, waive further assessment and counseling required of any Petitioner classified Level III Non Dependent.

- c) The presence of more than one conviction-for DUI disposition on an Applicant's Petitioner's abstract shall create a rebuttable presumption that the Applicant Petitioner suffers from a current alcohol/drug problem and should, therefore, be classified at least as a problematic-user-(Level II) Significant Risk).

- d) Evidence which shall be considered in determining whether the Applicant has met his/her burden of proof and, has overcome the presumption of a current alcohol/drug problem includes, but is not limited to, the following, where applicable:

- 1) The factors enumerated in Section 1001.430(b) above;
- 2) The similarity of circumstances between alcohol or drug related arrests;
- 3) Any property damage or personal injury caused by the Applicant while driving under the influence;
- 4) Changes in lifestyle and alcohol/drug use patterns following alcohol/drug related arrest, and the reasons therefor;
- 5) The chronological relationship of alcohol/drug related arrests;

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- 6) Length of alcohol/drug abuse pattern;
- 7) Degree of self-acceptance of alcohol/drug problem;
- 8) Degree of involvement in or successful completion of prior treatment/intervention recommendations following alcohol/drug related arrests;
- 9) Prior relapses from attempted abstinence;
- 10) Identification, treatment and resolution of any disorder causing high risk behavior as found in a further assessment required of any Petitioner classified Level III, Non Dependent.

11) The problems, pressures and/or external forces alleged to have precipitated the Petitioner's abuse of alcohol or other drugs on the occasion of each alcohol/drug related arrest, and the present status of the same; particularly whether they have been satisfactorily resolved;

12) The Petitioner's explanation for his/her multiple arrests and/or convictions for offenses involving alcohol/drugs, particularly for allowing the second and subsequent arrests/convictions to occur;

13) The evaluator's rationale for classifying an Applicant with multiple DUI convictions as a non-problematic user (Level I). In such cases it is particularly important that the evaluator's classification be based on complete and accurate information.

14) It is particularly important that the evaluator's classification be based on complete, accurate and consistent information. The probative value of evaluations which deviate from this standard will be diminished. The degree to which their probative value will be diminished will depend upon the degree to which the evaluation deviates from this standard and the standards imposed by DASA.

e) Applicants with a clinical impression of Problematic Use, Dependent Petitioners classified as Level III (High Risk) Dependent or any other Petitioner with a recommendation of abstinence by a DASA licensed evaluator or treatment provider, should have a minimum of twelve (12) consecutive months of documented abstinence. Waivers are discretionary when considering a RDP but shall not be granted unless Petitioner proves at least six (6) months continuous abstinence and active involvement in a support program. Documentation of abstinence must be received from at least three (3) independent sources. The sources should not be fellow members of a support group. When waivers are granted Petitioner shall be required to

supply the Office of the Secretary with monthly documentation of his involvement in the support program or the RDP will be cancelled. The Hearing Officer shall determine the weight to be accorded the documentation, taking into account the credibility of the source and the totality of the evidence adduced at the hearing. Letters documenting abstinence should contain at a minimum, the following:

- 1) The writer's relationship to Applicant (friend, family member, fellow employee, etc.);
- 2) How long the writer has known the Applicant.
- 3) How often the writer sees the Applicant (daily, weekly, monthly, etc.);
- 4) How long the writer knows the Applicant has abstained.

f) Petitioners classified as Level III Non Dependent must demonstrate at least twelve (12) consecutive months of non-problematic alcohol use and abstinence from the use of illegal drugs. This evidence must be submitted from at least three (3) independent sources and generally comply with the standards set forth in paragraph (e) above.

Waivers are discretionary when considering a RDP, but shall not be granted unless the Petitioner demonstrates at least six (6) months of non-problematic alcohol use and abstinence from the use of illegal drugs.

g) If the Applicant has been attending a self-help program, such as Alcoholics Anonymous or Narcotics Anonymous, the Applicant should present at least three dated letters from fellow self-help program members documenting at a minimum the following:

- 1) How long the writer has known the Applicant.
- 2) How long the Applicant has attended the program.
- 3) How often the Applicant attends the program.

h) If Applicant has a self-help program sponsor, one (1) letter should be obtained from his/her sponsor documenting the above data.

i) In cases where an Applicant seeks a restricted driving permit to allow him/her to drive to self-help program meetings, he/she must provide specific information identifying at a minimum, the following:

- 1) The locations of the meetings he/she wishes to attend;

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A) Individualized Treatment Plan. See 77 Ill. Adm. Code 2058.333.

B) Discharge Summary and Aftercare Plan. See 77 Ill. Adm. Code 2058.339.

j) This Part applies to applications for driving relief while suspended, revoked, cancelled, or after denial of driving privileges for an alcohol/drug-related offense or cause.

k) If an Applicant presents an alcohol/drug evaluation that was obtained as a condition precedent to either obtaining a JDP or the disposition of a DUI charge, that evaluation must meet the requirements of this Section in order to be accepted by the Secretary of State.

(Source: Emergency amendment at 16 Ill. Reg. 19926, effective December 8, 1992 for a maximum of 150 days.)

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2) The days of the week when meetings are held at these locations;

3) The hours of the day when these meetings are held;

i) If the Petitioner has had alcohol or drug related treatment he/she must provide a narrative summary which includes, at a minimum, the following information:

1) A narrative summary which includes, at a minimum:

iA) The name, address, and telephone number of treatment center.

2B) The date the Petitioner entered treatment and the date the Petitioner was discharged from treatment; the number of days or hours the Petitioner was involved in treatment; the admitting and discharge diagnosis.

3C) The type of treatment received, (e.g. outpatient, intensive outpatient, or inpatient treatment; individual or group therapy).

4) A summary of the Petitioner's involvement in treatment, including a discussion of those specific alcohol/drug-related issues addressed during treatment; as well as the quality of the Petitioner's participation and overall response during treatment:

5D) A clinical impression or prognosis of either a Level II Petitioner's ability to maintain a non-problematic pattern, or a Level III Petitioner's ability to maintain a stable recovery; where applicable. Specifically, the treatment provider's perception of what the Petitioner gained from the treatment experience and whether the experience was sufficient to substantially minimize the possibility of a recurrence of alcohol/drug related problems.

6E) Any recommendations for aftercare or follow-up support, and an indication of Applicant's Petitioner's participation, if applicable.

F) Rationale for any modification in the treatment requirements specified by DASA.

7G) The dated signature of the professional staff person providing the treatment information.

2) Copies of the following documents required by DASA:

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS

- 1) Heading of the Part:
Illinois Plumbing Code
- 2) Code Citation:
77 Ill. Adm. Code 890
- 3) Register Citation to Notice of Proposed Amendments:
16 Ill. Reg. 18479 (December 4, 1992)
- 4) Date, Time and Location of Public Hearing:
10:30 a.m. - 12:30 p.m.
January 8, 1993
Illinois Department of Public Health
1st Floor Training Room
525 West Jefferson
Springfield, Illinois 62761
- 5) Other Pertinent Information:

This public hearing is being held in addition to a public hearing on the same proposed rules scheduled for December 18, 1992. Notice of the earlier scheduled public hearing was included in the Notice of Proposed Rules entitled "Illinois Plumbing Code" published in the December 4, 1992 issue of the Illinois Register. Interested persons may present testimony at either or both of the public hearings.

The hearing will be held for the sole purpose of gathering public comment on the proposed amendments. Persons interested in presenting testimony at this hearing are advised that the Department will adhere to the following procedures in the conduct of the hearing.

1. Each person presenting oral testimony shall provide to the hearing officer a written (preferably typed) copy of such testimony at the time the oral testimony is presented. No oral testimony will be accepted without a written copy of the testimony being provided.
2. Each person presenting oral testimony will be limited to fifteen (15) minutes for the presentation of such testimony.
3. No person will be recognized to speak for a second time until all persons wishing to testify have done so.

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COMMISSIONER OF BANKS AND TRUST COMPANIES

NOTICE OF PUBLIC INFORMATION

NOTICE OF ACCEPTANCE OF AN APPLICATION
BY BANC ONE CORPORATION, COLUMBUS, OHIO, AND BANC ONE
ILLINOIS CORPORATION, SPRINGFIELD, ILLINOIS, TO ACQUIRE
FIRST COMMUNITY BANCORP, INC., ROCKFORD, ILLINOIS

Pursuant to Section 3.071(d) of the Illinois Bank Holding Company Act of 1957 (Ill. Rev. Stat. 1991, ch. 17, par. 2510.01(d)), notice is hereby given that the Commissioner of Banks and Trust Companies has accepted for processing an application by Banc One Corporation, Columbus, Ohio, and Banc One Illinois Corporation, Springfield, Illinois, 100 East Broad Street, Columbus, Ohio 43271-0261, to acquire First Community Bancorp, Inc., 6000 East State Street, Rockford, Illinois 61110-4900.

Interested persons who desire to comment on this proposed acquisition may submit their comments in writing no later than 14 days after the publication of this notice to either:

Neal J. O'Brien
Bruce J. Baker
Commissioner of Banks and Trust Companies
Room 100 Reisch Building
117 South Fifth Street
Springfield, Illinois 62701.

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NOTICE OF PUBLIC INFORMATION

1. Statute requiring agency to publish this information in the Illinois Register:

Name of Act: Illinois Department of Revenue Sunshine Act
Citation: Ill. Rev. Stat. 1991, ch. 127, par. 2001
(Public Act 82-727, effective November 12, 1981).

2. Summary of information:

Index of Department of Revenue income tax letter rulings issued for the Second Quarter of 1992.

The ruling letters are listed numerically with a brief synopsis under the following subjects:

Addition Modifications
Bond Premium Amortization
Dividends
Interest
Net Operating Loss
Zero Coupon Bonds
Other Rulings
(not included above)
Administrative Review
Allocation
(For Alternative Allocation rulings, see that heading)
Alternative Allocation
Amnesty
Apportionment
Financial Organizations
Insurance Companies
Payroll Factor
Property Factor
Sales Factor
Transportation Services
Other Rulings
(not included above)
Assessment
Bankruptcy
Base Income
(Also See Addition Modifications, Fringe Benefits, Subtraction Modifications)
Books and Records
Bulk Sales: See Sales Outside the Ordinary Course of Business (Bulk Sales)
Business Income
Capital Gains (Losses)

(Also See Subtraction Modifications - Valuation Limitation)
Check Off Funds
Circuit Breaker
Claims for Refund: See Refunds
Collection
Combined Unitary Return
(Also See Unitary)
Commercial Domicile
Compensation
Composite Returns
Confidentiality
Credits
Coal Research and Utilization
Credit for Replacement Tax Paid
Enterprise Zone Investment
Foreign Tax
High Impact Business Investment
Jobs Tax
Replacement Tax Investment
Research and Development Training Expense
Other Rulings
(not included above)
Deficiencies
Definitions
Domestic International Sales Corporations (DISC's)
Elections: See Combined Unitary Return, Extensions, Unitary
Enterprise Zones
(Also See Credits, Subtraction

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Modifications)
Erroneous Refund: See Refunds
Estates
Estimated Tax
Exempt Organizations
Exemptions
Extensions
Failure to File: See Penalties
Failure to Pay: See Penalties
Farmers: See Estimated Tax
Federal Returns
Fiduciaries
Financial Organizations: See Apportionment
Foreclosure
Foreign Sales Corporations (FSC's)
Foreign Tax: See Credits
Foreign Trade Zones: See Subtraction Modifications, Credits--Jobs Tax
Forms
Fraud: See Penalties
Fringe Benefits
IRC §125 "Cafeteria" Plans
IRC §401(k) Plans
Other Rulings
(not included above)
Gain (Loss): See Capital Gains (Losses), Valuation Limitation
Information Reports
Insurance Companies: See Apportionment
Interest Income
(Also See Addition Modifications, Subtraction Modifications)
Interest on Refunds and Deficiencies
IRC §338
Jeopardy: See Assessment
Judicial Review
Liens
Lottery
Military
(Also See Subtraction Modifications)
Miscellaneous

Modification Addition: See Addition Modifications
Modification Subtraction: See Subtraction Modifications
Mutual Funds: See Subtraction Modifications
Net Income (Loss) and Net Loss Deduction (IITA §207)
(Also See Base Income, Capital Gains (Losses), Combined Unitary Return, Net Operating Loss and Net Operating Loss Deduction)
Net Operating Loss and Net Operating Loss Deduction
Nexus: See Public Law 86-272/Nexus
Nonbusiness Income
Nonresidents: See Residency/Nonresidency
Notice and Demand: See Notices
Notices
Overpayments: See Refunds
Partnerships
Payments:
(Also See Estimated Tax)
Payroll Factor: See Apportionment
Penalties
Failure to File (IITA §1001)
Failure to File Withholding Returns (IITA §1004)
Failure to Pay (IITA §1002)
Failure to Pay Estimated Tax (IITA §804)
Fraud (IITA §1002)
Reasonable Cause (IITA §1001)
Underpayment of Tax (IITA §1005)
Other Rulings
(Not included above)
Pensions
(Also See Subtraction Modifications)
Political Organizations
Property Factor: See Apportionment
Property Tax: See Subtraction

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Modifications

Protest
Public Law 86-272/Nexus
Rate of Tax
Real Estate Investment Trusts
Reasonable Cause: See Penalties
Refunds (Also See Subtraction
Modifications)
Statute of Limitations
Other Rulings
(not included above)
Replacement Tax
(Also See Credits)
Residency/Nonresidency
Returns
(For Combined Unitary Return
and Composite Return rulings,
see those headings)
Amended Returns
Due Dates
Requirements to File
Short Period Returns
Other Rulings
(not included above)
S Corporations
Sales Factor: See Apportionment
Sales Outside the Ordinary
Course of Business (Bulk Sales)
Seizure
Separate Accounting: See
Alternative Allocation
Signature
Specific Accounting
Statute of Limitations: See
Assessment, Collection,
Deficiencies, Refunds
Subchapter (S) Corporations: See
S Corporations
Subpart F Income: See Subtrac-
tion Modifications
Subtraction Modifications

Enterprise and Foreign Trade
Zones
Illinois Tax Refund
Interest on U.S. Government
Obligations
Military
Money Market Mutual Funds
Qualified Pension Plans
Real Estate Taxes
Subpart F Income
Valuation Limitation
Other Rulings
(not included above)
Taxability in Other States
Taxable Year
Transferees
(Also See Sales Outside the
Ordinary Course of Business
(Bulk Sales))
Transportation Services: See
Apportionment
Trusts
Unitary
(Also See Combined Unitary
Return)
U.S. Government Obligations:
See Subtraction Modifications
Valuation Limitation: See
Subtraction Modifications
Voluntary Disclosure Agreements
Waiver on Assessments: See
Assessment
Withholding
Employee Benefits
Exemptions
Personal Service Contracts
(ITA §1405.2)
Reciprocal Agreements
Other Rulings
(not included above)

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The index of Income Tax letter rulings for 1990 is available for \$3.00. A cumulative Income Tax Sunshine Index of 1981 through 1989 letter rulings may be purchased for \$4.00.

3. Name and address of person to contact concerning this information:

Margaret Forth
Legal Division
101 West Jefferson Street
Springfield, Illinois 62794
Telephone: (217) 782-6996

Copies of the ruling letters themselves are available for inspection and may be purchased for a minimum of \$1.00 per opinion plus 25 cents per page for each page over one.

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ALLOCATION

(For Alternative Allocation Rulings, See That Heading)

- IT 92-95 05/12/1992 Section 301(c)(2)(A) of the Illinois Income Tax Act provides that interest and dividends of individual residents of Illinois are not allocable to Illinois.

ALTERNATIVE ALLOCATION

- IT 92-126 06/24/1992 Alternative allocation is allowed only in cases where the taxpayer has shown by clear and convincing evidence that the statutory three-factor formula would result in taxation of extra-territorial values. A taxpayer has the burden of demonstrating that the three-factor formula operates unreasonably and arbitrarily in attributing to Illinois a percentage of income which is out of all proportion to the business transacted in this State.

APPORTIONMENT - FINANCIAL ORGANIZATIONS

- IT 92-96 05/13/1992 Response to a questionnaire regarding the apportionment of income earned by a financial organization doing business in other states.
- IT 92-132 06/25/1992 Financial subsidiaries of parent corporations shall have their business income apportioned pursuant to the three-factor set forth in Section 304(a) of the Illinois Income Tax Act.
- IT 92-137 06/29/1992 Supersedes part of IT92-2. A Credit Card Bank chartered as a national bank, is a person which may be acquired directly, or indirectly, under the Bank Holding Company Act of 1956. Consequently, such a subsidiary Credit Card Bank also is a financial institution under IITA §1501(a)(8). Any advice to the contrary in Letter Ruling 92-2 (January 6, 1992) is no longer adhered to.

APPORTIONMENT - SALES FACTOR

- IT 92-130 06/24/1992 A transportation broker is required to utilize the three-factor apportionment formula set forth in the Illinois Income Tax Act.

BASE INCOME

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(Also See Addition Modifications, Fringe Benefits, Subtraction Modifications)

- IT 92-84 04/30/1992 Proceeds from endowment policies do not qualify as a subtraction modification when figuring base income for Illinois income tax purposes.
- IT 92-86 5/01/1992 Section 203(a)(1) of the Illinois Income Tax Act provides that in the case of an individual, base income means an amount equal to the taxpayer's federal adjusted gross income for the taxable year subject to certain modifications. If reduced rent and utilities would be treated as income for federal (U.S.) income tax purposes, by the Internal Revenue Service it would also be subject to the Illinois Income Tax.
- IT 92-95 05/12/1992 Section 301(c)(2)(A) of the Illinois Income Tax Act provides that interest and dividends of individual residents of Illinois are not allocable to Illinois.
- IT 92-98 05/13/1992 To the extent an Illinois resident has federal adjusted gross income and that income is allocable to Illinois that resident is subject to Illinois income tax.
- IT 92-115 06/19/1992 Discusses the taxability of compensation earned by an out-of-state resident who receives the compensation subsequent to becoming an Illinois resident.
- IT 92-118 06/22/1992 Discusses how residency is determined for purposes of imposing Illinois Income Tax.
- IT 92-119 06/22/1992 Section 203(a)(1) of the Illinois Income Tax Act provides that base income for Illinois income tax purposes means an amount equal to the taxpayer's adjusted gross income for the taxable year.
- IT 92-120 06/22/1992 Base Income for Illinois income tax purposes is equal to a taxpayer's federal adjusted gross income.
- IT 92-125 06/24/1992 The fact that a taxpayer owes no federal tax does not necessarily preclude the need to file an Illinois return since the laws differ with respect to how you get to the actual amount of tax owed.
- IT 92-128 06/24/1992 Discusses whether income received on rental property by a partnership should be included as income allocable to Illinois in calculating Personal Property Replacement Income Tax.

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BUSINESS INCOME

IT 92-135 06/26/1992 Compensation is paid to employees and since partners in the partnership of a firm are not considered employees the payment received by them are not compensation. Consequently, partnership payments are not subject to reciprocal agreements and are subject to Illinois Income Tax.

IT 92-145 06/29/1992 Income received under a covenant not to compete does not constitute business income as defined by Section 1501(a)(1) of the Illinois Income Tax Act because the income does not arise in the regular course of a taxpayer's trade or business.

COMPENSATION

IT 92-114 06/19/1992 Discusses taxability of compensation paid in another state to residents of another through reciprocal agreements between those states.

IT 92-135 06/26/1992 Compensation is paid to employees and since partners in the partnership of a firm are not considered employees the payment received by them are not compensation. Consequently, partnership payments are not subject to reciprocal agreements and are subject to Illinois Income Tax.

CONFIDENTIALITY

IT 92-102 05/27/1992 Illinois Income Tax Act Section 917 prohibits the Illinois Department of Revenue from furnishing the information specified in subpoena absent a court order.

IT 92-103 06/03/1992 Illinois Income Tax Act Section 917(a) prohibits the Department from complying with the subpoena duces tecum for records of a taxpayer, in the absence of a court order.

IT 92-105 06/10/1992 Illinois Income Tax Act Section 917(a) prohibits the Department from complying with a subpoena duces tecum for the records of a taxpayer, absent a court order.

IT 92-127 06/24/1992 Section 917 of the Illinois Income Tax Act prohibits furnishing taxpayer's information in absence of court order.

IT 92-139 06/29/1992 Section 917 of the Illinois Income Tax Act prohibits furnishing taxpayer information absent a court order.

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CREDITS - ENTERPRISE ZONE INVESTMENT

IT 92-83 04/30/1992 Storage of equipment in an enterprise zone does not constitute usage under the Illinois Income Tax Act and therefore precludes it from qualifying as equipment for the Enterprise Zone Investment Credit.

CREDITS - FOREIGN TAX

IT 92-97 05/13/1992 Section 203(b)(2) of the Illinois Income Tax Act does not allow a credit or deduction for income taxes paid to a foreign country.

IT 92-104 06/08/1992 Response to questionnaire regarding reciprocity between Virginia and Illinois for foreign tax credit pursuant to the Illinois Income Tax Act.

IT 92-114 06/19/1992 Discusses taxability of compensation paid in another state to residents of another through reciprocal agreements between those states.

IT 92-115 06/19/1992 Discusses the taxability of compensation earned by an out-of-state resident who receives the compensation subsequent to becoming an Illinois resident.

CREDITS - OTHER RULINGS (NOT INCLUDED ABOVE)

IT 92-128 06/24/1992 Discusses whether income received on rental property by a partnership should be included as income allocable to Illinois in calculating Personal Property Replacement Income Tax.

ESTIMATED TAX

IT 92-78 04/02/1992 Explains the procedure for instituting penalties for a taxpayer's failure to pay estimated tax.

EXEMPT ORGANIZATIONS

IT 92-80 04/03/1992 An organization that is exempt from the Federal income tax by reason of Section 501(a) of the Internal Revenue Code is exempt from Illinois income tax except for its unrelated

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business taxable income determined under Section 512 of the Internal Revenue Code.

- IT 92-92 05/11/1992 Section 205 of the Illinois Income Tax Act ("the Act") automatically exempts from Illinois income taxation the income of an organization whose income is exempt from federal income tax by reason Section 501(a) of the Internal Revenue Code.

EXEMPTIONS

- IT 92-131 06/24/1992 Response to a survey regarding the statutory provisions of the Illinois Income Tax on withholding requirements.

FIDUCIARIES

- IT 92-91 05/07/1992 Indicates procedural changes implemented by Department in order to alleviate certain problems that arose in connection with requests for prompt determination of liability.

INTEREST ON REFUNDS AND DEFICIENCIES

- IT 92-144 06/29/1992 Discusses the taxability of nonqualified deferred compensation benefits pursuant to the Illinois Income Tax Act as well as addressing specific penalties for failure to report this income.

LOTTERY

- IT 92-77 4/02/1992 Explains the proper method for partners to reflect Illinois income tax withheld from money won in the State lottery by a partnership organized for the sole purpose of playing the Illinois State Lottery.

MILITARY

(Also See Subtraction Modifications)

- IT 92-117 06/22/1992 Response to a request for general tax information contained in Publication 102 and information regarding taxation of military pay.

MISCELLANEOUS

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- IT 92-90 05/04/1992 Response to request for copies of Section 201 of the Illinois Income Tax Act and Section 100.2900 of the Department's rules.

- IT 92-93 05/12/1992 Request for a copy of the Illinois Income Tax and Regulations.

- IT 92-107 06/16/1992 Response to a request for a copy of Section 201 of the Illinois Income Tax Act.

- IT 92-111 06/19/1992 Response to a request for copies of Department tax rules, specifically Sections 100.2550 and 100.2563.

- IT 92-112 06/19/1992 Response to a request for copies of Department income tax rules, specifically Sections 100.2550 and 100.2563.

- IT 92-123 06/23/1992 Response to a request for a copy of the Illinois Income Tax Act.

- IT 92-134 06/25/1992 Request for copies of Sections 100.2564, 100.2565 and 100.9130 of the Department's rules.

- IT 92-136 06/26/1992 Information forwarded regarding Section 201(j) of the Illinois Income Tax Act on the job training expense credit.

- IT 92-142 06/29/1992 Response to a request for a copy of the Department's annual report.

- IT 92-146 06/30/1992 Response to request for Sections 100.2550 and 100.2563 of the Illinois Income Tax Act.

NOTICES

- IT 92-91 05/07/1992 Indicates procedural changes implemented by Department in order to alleviate certain problems that arose in connection with requests for prompt determination of liability.

PARTNERSHIPS

- IT 92-77 4/02/1992 Explains the proper method for partners to reflect Illinois income tax withheld from money won in the State lottery by a partnership organized for the sole purpose of playing the Illinois State Lottery.

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IT 92-128 06/24/1992 Discusses whether income received on rental property by a partnership should be included as income allocable to Illinois in calculating Personal Property Replacement Income Tax.

PENALTIES - FAILURE TO PAY ESTIMATED TAX (IITA 804)

IT 92-78 04/02/1992 Explains the procedure for instituting penalties for a taxpayer's failure to pay estimated tax.

IT 92-140 06/29/1992 Describes how Section 804 of the Illinois Income Tax Act is to be applied in computing estimated tax payments exceptions.

PENALTIES - UNDERPAYMENT OF TAX (IITA §1005)

IT 92-101 05/19/1992 Explains that a penalty cannot be waived by a taxpayer indicated they acted with ordinary business care and prudence in filing their return. The Illinois Income Tax Act stipulates a taxpayer must show reasonable cause for the underpayment.

IT 92-144 06/29/1992 Discusses the taxability of nonqualified deferred compensation benefits pursuant to the Illinois Income Tax Act as well as addressing specific penalties for failure to report this income.

PENSIONS

(Also See Subtraction Modifications)

IT 92-94 05/12/1992 Explains the manner in which deferred compensation income is reported for purposes of the Illinois Income Tax Act.

PUBLIC LAW 86-272/NEXUS

IT 92-100 05/14/1992 Questions regarding nexus for income taxes which involve a company and other state cannot be addressed by the State of Illinois as it lacks jurisdiction in the matter.

REAL ESTATE INVESTMENT TRUSTS

IT 92-116 06/19/1992 Explains taxability of the Real Estate Investment Trust pursuant to the Illinois Income Tax Act. Illinois treats the tax-

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tion of a real estate investment trust (REIT) similarly to the treatment provided under federal law. If an entity qualifies as a REIT for Illinois purposes.

REFUNDS

(Also See Subtraction Modifications)

IT 92-79 04/03/1992 Instructs taxpayer on the procedure to go about receiving unclaimed property from the State.

REPLACEMENT TAX

(Also See Credits)

IT 92-128 06/24/1992 Discusses whether income received on rental property by a partnership should be included as income allocable to Illinois in calculating Personal Property Replacement Income Tax.

RESIDENCY/NONRESIDENCY

IT 92-110 06/19/1992 Discusses the principles used in determining whether a taxpayer's income will be subject to Illinois Income Tax.

IT 92-114 06/19/1992 Discusses taxability of compensation paid in another state to residents of another through reciprocal agreements between those states.

IT 92-115 06/19/1992 Discusses the taxability of compensation earned by an out-of-state resident who receives the compensation subsequent to becoming an Illinois resident.

IT 92-118 06/22/1992 Discusses how residency is determined for purposes of imposing Illinois Income Tax.

IT 92-121 06/22/1992 Discusses the taxability of an Illinois Trust established by a resident or a non-resident.

IT 92-128 06/24/1992 Discusses whether income received on rental property by a partnership should be included as income allocable to Illinois in calculating Personal Property Replacement Income Tax.

IT 92-145 06/29/1992 Income received under a covenant not to compete does not constitute business income as defined by Section 1501(a)(1) of the Illinois Income Tax Act because the income does not arise in the regular course of a taxpayer's trade or business.

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DEPARTMENT OF REVENUE

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RETURNS - AMENDED RETURNS

(For Combined Unitary Return and Composite Return Rulings, See Those Headings)

- IT 92-110 06/19/1992 Discusses the principles used in determining whether a taxpayer's income will be subject to Illinois Income Tax.

S CORPORATIONS

- IT 92-129 06/24/1992 Discusses changes in the Illinois taxation of S corporation income to provide consistency with federal changes.

SUBTRACTION MODIFICATIONS - ENTERPRISE AND FOREIGN TRADE ZONE

- IT 92-141 06/29/1992 If a bank holding company is a separate corporate entity, only the business of the bank holding company is relevant in determining the applicability of the subtraction modification provided.

SUBTRACTION MODIFICATIONS - INTEREST ON U.S. GOVERNMENT OBLIGATIONS

- IT 92-81 04/09/1992 The subtraction modification found at Illinois Income Tax Act (ITTA) §203(b)(2)(i) may not be used to subtract ESOP interest excluded from gross income federally but added back for Illinois purposes at ITTA §203(b)(2)(A).

- IT 92-85 05/01/1992 Discusses Illinois income tax exemption on income earned from U.S. Government obligations listed in Publication 101.

- IT 92-89 05/04/1992 Indicates the taxability of state and municipal obligations as well as mutual funds pursuant to the Illinois Income Tax Act and Publication 101 of the Illinois Department of Revenue.

- IT 92-113 06/19/1992 Discusses the taxability of mutual funds and interest on government obligations pursuant to the Illinois Income Tax Act.

SUBTRACTION MODIFICATIONS - MONEY MARKET MUTUAL FUNDS

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DEPARTMENT OF REVENUE

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- IT 92-89 05/04/1992 Indicates the taxability of state and municipal obligations as well as mutual funds pursuant to the Illinois Income Tax Act and Publication 101 of the Illinois Department of Revenue.

- IT 92-113 06/19/1992 Discusses the taxability of mutual funds and interest on government obligations pursuant to the Illinois Income Tax Act.

SUBTRACTION MODIFICATIONS - QUALIFIED PENSION PLANS

- IT 92-84 04/30/1992 Proceeds from endowment policies do not qualify as a subtraction modification when figuring base income for Illinois income tax purposes.

- IT 92-94 05/12/1992 Explains the manner in which deferred compensation income is reported for purposes of the Illinois Income Tax Act.

- IT 92-143 06/29/1992 Discusses the subtraction modification from federal adjusted gross income for employer retirement plans as well as withholding requirements for these benefits.

- IT 92-144 06/29/1992 Discusses the taxability of nonqualified deferred compensation benefits pursuant to the Illinois Income Tax Act as well as addressing specific penalties for failure to report this income.

SUBTRACTION MODIFICATIONS - OTHER RULINGS (NOT INCLUDED ABOVE)

- IT 92-88 05/01/1992 If an obligation of the State of Illinois or local government and is listed in Part III of Publication 101, the interest thereon will be exempt from Illinois income tax.

- IT 92-89 05/04/1992 Indicates the taxability of state and municipal obligations as well as mutual funds pursuant to the Illinois Income Tax Act and Publication 101 of the Illinois Department of Revenue.

- IT 92-97 05/13/1992 Section 203(b)(2) of the Illinois Income Tax Act does not allow a credit or deduction for income taxes paid to a foreign country.

- IT 92-99 05/13/1992 Income from state and local obligations is not exempt from Illinois income tax except where authorizing legislation adopted after August 1, 1969 specifically provides for an exemp-

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NOTICE OF PUBLIC INFORMATION

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tion. The Chicago Illinois Public Housing Authority Bonds and the General Obligation Bonds of the Village of Woodridge have not been exempted by such legislation.

IT 92-122 06/22/1992 Section 203(a)(2)(Q) of the Illinois Income Tax Act provides for a deduction from an individual's adjusted gross income of an amount "equal to the amount of the deduction used to compute the federal income tax credit for restoration of substantial amounts held under claim of right for the taxable year pursuant to Section 1341 of the Internal Revenue Code".

IT 92-138 06/29/1992 Income from bonds issued by the Illinois Health Facilities Authority is subject to the Illinois income tax. There is no Illinois income tax exemption for an individual who receives income from such a bond. Income from state and local obligations is not exempt from Illinois income tax except where authorizing legislation adopted after August 1, 1969, specifically provides for an exemption.

TRUSTS

IT 92-121 06/22/1992 Discusses the taxability of an Illinois Trust established by a resident or a non-resident.

VOLUNTARY DISCLOSURE AGREEMENTS

IT 92-82 04/27/1992 Discusses information that must be forwarded to the Department pursuant to a Voluntary Disclosure Agreement.

IT 92-106 06/15/1992 Discusses Department's determination of interest and penalty and the right of the taxpayer to petition the Board of Appeals for consideration of any abatement of penalties and/or interest.

IT 92-133 06/25/1992 A Voluntary Disclosure Agreement is a notification to the Department by a taxpayer or his representative prior to the Department opening an audit or investigation file that the taxpayer has failed to file returns or has filed erroneous returns in the past. It is the Department's policy to encourage and assist voluntary disclosures by taxpayers.

WITHHOLDING - EMPLOYEE BENEFITS

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IT 92-109 06/19/1992 Response to a survey regarding the withholding of payments and distributions from pensions, annuities, and other deferred income pursuant to the Illinois Income Tax Act.

WITHHOLDING - EXEMPTIONS

IT 92-108 06/18/1992 Request for instructions and forms necessary to pay state tax withholding.

WITHHOLDING - OTHER RULINGS (NOT INCLUDED ABOVE)

IT 92-77 4/02/1992 Explains the proper method for partners to reflect Illinois income tax withheld from money won in the State lottery by a partnership organized for the sole purpose of playing the Illinois State Lottery.

IT 92-87 05/01/1992 Response to request for information on Illinois income tax withholding methods and tables.

IT 92-110 06/19/1992 Discusses the principles used in determining whether a taxpayer's income will be subject to Illinois Income Tax.

IT 92-124 06/24/1992 Discusses withholding requirements for an Illinois resident who is employed by a corporation not registered to do business in Illinois and whose base of operations is outside Illinois.

IT 92-131 06/24/1992 Response to a survey regarding the statutory provisions of the Illinois Income Tax on withholding requirements.

IT 92-143 06/29/1992 Discusses the subtraction modification from federal adjusted gross income for employer retirement plans as well as withholding requirements for these benefits.

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DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF REGULATORY FLEXIBILITY IMPACT ANALYSIS

Upon initial review, it has been determined that the following proposed rules promulgated by State agencies may impact small business:

PUBLIC HEALTH, DEPARTMENT OF

Ill. Plumbing Code; 77 Ill. Adm. Code 890
Published on December 4, 1992
at 16 Ill. Reg. 18479

Persons wishing to obtain more information concerning the impact on small business may contact:

Linda Brand
Department of Commerce and Community Affairs
Office of Regulatory Assistance
620 East Adams Street/6th Floor
Springfield, IL 62701
(217) 524-1516

ILLINOIS REGISTER

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of December 2, 1992 through December 8, 1992, and have been scheduled for review by the Committee at its January 12, 1993 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Office Bldg., Springfield, IL 62706.

Second Notice Expires	Agency and Rule	Start of First Notice	JCAR Meeting
1/15/93	Department of Public Aid, Reimbursement for Nursing Costs for Geriatric Facilities (89 Ill Adm Code 147)	8/28/92 16 Ill Reg 13215	1/12/93
1/15/93	Department of Professional Regulation, Private Detective, Private Alarm and Private Security Act of 1983 (68 Ill Adm Code 1240)	10/16/92 16 Ill Reg 15775	1/12/93
1/15/93	Department of Professional Regulation, Real Estate Appraiser Certification (68 Ill Adm Code 1455)	10/16/92 16 Ill Reg 15785	1/12/93
1/15/93	Illinois Commerce Commission, Dual Party Relay Service (83 Ill Adm Code 756)	9/18/92 16 Ill Reg 14004	1/12/93
1/18/93	Department of Professional Regulation, Dental Practice Act (68 Ill Adm Code 1220)	10/16/92 16 Ill Reg 15762	1/12/93
1/18/93	Secretary of State, Department of Personnel (80 Ill Adm Code 420)	10/9/92 16 Ill Reg 15342	1/12/93
1/18/93	Department of Insurance, Automobile Anti-Theft Mechanisms (50 Ill Adm Code 932)	5/8/92 16 Ill Reg 7279	1/12/93

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED
(page 2)

Second Notice Expires	Agency and Rule	Start of First Notice	JCAR Meeting
1/18/93	Department of Nuclear Safety, Joint Rules of the Illinois Environmental Protection Agency, the Illinois Department of Public Health and the Illinois Department of Nuclear Safety: Certification and Operation of Environmental Laboratories (32 Ill Adm Code 195)	8/14/92 16 Ill Reg 12756	1/12/93
1/21/93	Department of Professional Regulation, Collection Agency Act (68 Ill Adm Code 1210)	10/23/92 16 Ill Reg 16374	1/12/93

PROCLAMATION

92-536

ELECTION RESULTS - ELECTORS OF PRESIDENT AND VICE PRESIDENT

Whereas, On the 3rd day of November, 1992, an election was held in the State of Illinois for the election of twenty-two (22) Electors of President and Vice President of the United States.

Whereas, In pursuance of Law, the State Board of Elections appointed to canvass the returns of such election and to declare the result thereof, did, on this 23rd day of November, 1992, canvass the same, and as a result of such canvass, did declare elected the following named persons to the following named office:

ELECTORS OF PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES

Carolyn Rush	Patrick D. Welch
Abradella Jackson	John Rednour
Gary J. Lapaille	Elliott Spiegel
Richard Barajas	Gloria Vazquez
Karen Rozanski	George J. Gordon
Bruce Lester	Mickey Martin
Deborah Pitchford	Stewart Winstein
Jim Sheehan	Shirley McCombs
Ross Harano	Helen Severns
Dan Pierce	Ruth Pomatto
Einar Dyhrkopp	Susan Sikes

Now, Therefore, I, Jim Edgar, Governor of the State of Illinois, in conformity to statute in such case made and provided, do hereby make public proclamation, declaring as a result of such canvass the foregoing persons duly elected to the office as set out above.

Issued by the Governor November 23, 1992.

Filed with the Secretary of State November 23, 1992.

92-537

ELECTION RESULTS - U.S. SENATE AND TRUSTEES OF THE UNIVERSITY OF ILLINOIS

Whereas, On the 3rd day of November, 1992, an election was held in the State of Illinois for the election of the following officers, to-wit:

One (1) United States Senator for the full term of six years.

Three (3) Trustees of the University of Illinois for the full term of six years.

Whereas, In pursuance of Law, the State Board of Elections appointed to canvass the returns of such election

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and to declare the results thereof, did, on this 23rd day of November, 1992, canvass the same, and as a result such canvass, did declare elected the following named persons to the following named offices:

UNITED STATES SENATOR
Carol Moseley Braun

TRUSTEES OF THE UNIVERSITY OF ILLINOIS
Judith Calder
Ada Lopez
Jeff Gindorf

Now, Therefore, I, Jim Edgar, Governor of the State of Illinois, in conformity to statute in such case made and provided, do hereby make public proclamation, declaring as a result of such canvass the foregoing persons duly elected to the offices as set out above.

Issued by the Governor November 23, 1992.

Filed with the Secretary of State November 23, 1992.

92-538

ELECTION RESULTS - U.S. CONGRESS - GENERAL ASSEMBLY

Whereas, On the 3rd day of November, 1992, an election was held in the State of Illinois for the election of the following officers, to-wit:

Twenty (20) Representatives in Congress, to wit: One (1) Representative in Congress from each of the twenty (20) Congressional Districts of the State for the full term of two years.

Fifty-nine (59) State Senators, to wit: One (1) State Senator from the 2nd, 5th, 8th, 11th, 14th, 17th, 20th, 23rd, 26th, 29th, 32nd, 35th, 38th, 41st, 44th, 47th, 50th, 53rd, 56th and 59th Legislative District for the full term of two years; One (1) State Senator from the 1st, 3rd, 4th, 6th, 7th, 9th, 10th, 12th, 13th, 15th, 16th, 18th, 19th, 21st, 22nd, 24th, 25th, 27th, 28th, 30th, 31st, 33rd, 34th, 36th, 37th, 39th, 40th, 42nd, 43rd, 45th, 46th, 48th, 49th, 51st, 52nd, 54th, 55th, 57th and 58th Legislative District of the State for the full term of four years.

One Hundred Eighteen (118) Representatives in the General Assembly, to-wit: One (1) Representative from each of the one hundred eighteen (118) Representative Districts of the State for the full term of two years.

Whereas, In pursuance of Law, the State Board of Elections appointed to canvass the returns of such election and to declare the results thereof, did, on this the 23rd day of November, 1992, canvass the same, and as a result of such canvass, did declare elected the following named persons to the following named offices.

ILLINOIS REGISTER

REPRESENTATIVES TO REPRESENT THE PEOPLE OF THE STATE OF ILLINOIS IN THE 103RD CONGRESS OF THE UNITED STATES

FIRST CONGRESSIONAL DISTRICT
Bobby L. Rush

SECOND CONGRESSIONAL DISTRICT
Mel Reynolds

THIRD CONGRESSIONAL DISTRICT
William O. Lipinski

FOURTH CONGRESSIONAL DISTRICT
Luis V. Gutierrez

FIFTH CONGRESSIONAL DISTRICT
Dan Rostenkowski

SIXTH CONGRESSIONAL DISTRICT
Henry J. Hyde

SEVENTH CONGRESSIONAL DISTRICT
Cardiss Collins

EIGHTH CONGRESSIONAL DISTRICT
Philip M. Crane

NINTH CONGRESSIONAL DISTRICT
Sidney R. Yates

TENTH CONGRESSIONAL DISTRICT
John E. Porter

ELEVENTH CONGRESSIONAL DISTRICT
George E. Sangmeister

TWELFTH CONGRESSIONAL DISTRICT
Jerry F. Costello

THIRTEENTH CONGRESSIONAL DISTRICT
Harris W. Fawell

FOURTEENTH CONGRESSIONAL DISTRICT
J. Dennis Hastert

FIFTEENTH CONGRESSIONAL DISTRICT
Thomas W. Ewing

SIXTEENTH CONGRESSIONAL DISTRICT
Donald Manzullo

ILLINOIS REGISTER

SEVENTEENTH CONGRESSIONAL DISTRICT

Lane A. Evans

EIGHTEENTH CONGRESSIONAL DISTRICT

Robert H. Michel

NINETEENTH CONGRESSIONAL DISTRICT

Glenn Poshard

TWENTIETH CONGRESSIONAL DISTRICT

Richard J. Durbin

STATE SENATORS TO REPRESENT THE PEOPLE OF THE STATE OF
ILLINOIS IN THE 88TH GENERAL ASSEMBLY OF THE STATE

FIRST LEGISLATIVE DISTRICT

Jesus G. Garcia

SECOND LEGISLATIVE DISTRICT

Miguel del Valle

THIRD LEGISLATIVE DISTRICT

Margaret Smith

FOURTH LEGISLATIVE DISTRICT

Earlean Collins

FIFTH LEGISLATIVE DISTRICT

Rickey R. Hendon

SIXTH LEGISLATIVE DISTRICT

John J. Cullerton

SEVENTH LEGISLATIVE DISTRICT

Walter W. Dudycz

EIGHTH LEGISLATIVE DISTRICT

Howard W. Carroll

NINTH LEGISLATIVE DISTRICT

Arthur L. Berman

TENTH LEGISLATIVE DISTRICT

James A. DeLeo

ELEVENTH LEGISLATIVE DISTRICT

Gary J. LaPaille

TWELFTH LEGISLATIVE DISTRICT

Robert S. Molaro

ILLINOIS REGISTER

THIRTEENTH LEGISLATIVE DISTRICT

Alice J. Palmer

FOURTEENTH LEGISLATIVE DISTRICT

Emil Jones, Jr.

FIFTEENTH LEGISLATIVE DISTRICT

William "Bill" Shaw

SIXTEENTH LEGISLATIVE DISTRICT

Donne E. Trotter

SEVENTEENTH LEGISLATIVE DISTRICT

Bruce A. Farley

EIGHTEENTH LEGISLATIVE DISTRICT

Patrick J. O'Malley

NINETEENTH LEGISLATIVE DISTRICT

William F. Mahar

TWENTIETH LEGISLATIVE DISTRICT

Beverly J. Fawell

TWENTY-FIRST LEGISLATIVE DISTRICT

Chris Lauzen

TWENTY-SECOND LEGISLATIVE DISTRICT

Judy Baar Topinka

TWENTY-THIRD LEGISLATIVE DISTRICT

James "Pate" Philip

TWENTY-FOURTH LEGISLATIVE DISTRICT

Robert Raica

TWENTY-FIFTH LEGISLATIVE DISTRICT

Doris C. Karpel

TWENTY-SIXTH LEGISLATIVE DISTRICT

William E. Peterson

TWENTY-SEVENTH LEGISLATIVE DISTRICT

Peter G. Fitzgerald

TWENTY-EIGHTH LEGISLATIVE DISTRICT

Marty Butler

TWENTY-NINTH LEGISLATIVE DISTRICT

Grace Mary Stern

THIRTIETH LEGISLATIVE DISTRICT

ILLINOIS REGISTER

David N. Barkhausen
THIRTY-FIRST LEGISLATIVE DISTRICT
Adeline Jay Geo-Karis
THIRTY-SECOND LEGISLATIVE DISTRICT
Dick Klemm
THIRTY-THIRD LEGISLATIVE DISTRICT
Steven J. Rauschenberger
THIRTY-FOURTH LEGISLATIVE DISTRICT
Dave Syverson
THIRTY-FIFTH LEGISLATIVE DISTRICT
J. Bradley Burzynski
THIRTY-SIXTH LEGISLATIVE DISTRICT
Denny Jacobs
THIRTY-SEVENTH LEGISLATIVE DISTRICT
Todd Sieben
THIRTY-EIGHTH LEGISLATIVE DISTRICT
Patrick Daniel Welch
THIRTY-NINTH LEGISLATIVE DISTRICT
Dan Cronin
FORTIETH LEGISLATIVE DISTRICT
Aldo DeAngelis
FORTY-FIRST LEGISLATIVE DISTRICT
Thomas J. McCracken, Jr.
FORTY-SECOND LEGISLATIVE DISTRICT
Edward F. Petka
FORTY-THIRD LEGISLATIVE DISTRICT
Tom Dunn
FORTY-FOURTH LEGISLATIVE DISTRICT
John W. Maitland, Jr.
FORTY-FIFTH LEGISLATIVE DISTRICT
Robert A. Madigan
FORTY-SIXTH LEGISLATIVE DISTRICT
Richard N. Luft
FORTY-SEVENTH LEGISLATIVE DISTRICT
Carl E. Hawkinson

ILLINOIS REGISTER

FORTY-EIGHTH LEGISLATIVE DISTRICT
Laura Kent Donahue
FORTY-NINTH LEGISLATIVE DISTRICT
Vince Demuzio
FIFTIETH LEGISLATIVE DISTRICT
Karen Hasara
FIFTY-FIRST LEGISLATIVE DISTRICT
Penny Severns
FIFTY-SECOND LEGISLATIVE DISTRICT
Stanley B. Weaver
FIFTY-THIRD LEGISLATIVE DISTRICT
Harry "Babe" Woodyard
FIFTY-FOURTH LEGISLATIVE DISTRICT
William L. O'Daniel
FIFTY-FIFTH LEGISLATIVE DISTRICT
Frank Watson
FIFTY-SIXTH LEGISLATIVE DISTRICT
Sam M. Vadalabene
FIFTY-SEVENTH LEGISLATIVE DISTRICT
Kenneth Hall
FIFTY-EIGHTH LEGISLATIVE DISTRICT
Ralph Dunn
FIFTY-NINTH LEGISLATIVE DISTRICT
James F. "Jim" Rea

REPRESENTATIVES TO REPRESENT THE PEOPLE OF THE STATE OF
ILLINOIS IN THE 88TH GENERAL ASSEMBLY OF THE STATE

FIRST REPRESENTATIVE DISTRICT
Rafael "Ray" Frias
SECOND REPRESENTATIVE DISTRICT
Benjamin A. "Ben" Martinez
THIRD REPRESENTATIVE DISTRICT
Miguel A. Santiago
FOURTH REPRESENTATIVE DISTRICT
Edgar Lopez

ILLINOIS REGISTER

FIFTH REPRESENTATIVE DISTRICT
Lovana S. "Lou" Jones

SIXTH REPRESENTATIVE DISTRICT
Shirley M. Jones

SEVENTH REPRESENTATIVE DISTRICT
Eugene Moore

EIGHTH REPRESENTATIVE DISTRICT
Robert LeFlore, Jr.

NINTH REPRESENTATIVE DISTRICT
Arthur L. Turner

TENTH REPRESENTATIVE DISTRICT
Coy Pugh

ELEVENTH REPRESENTATIVE DISTRICT
Judy Erwin

TWELFTH REPRESENTATIVE DISTRICT
Ellis B. Levin

THIRTEENTH REPRESENTATIVE DISTRICT
Ralph C. Capparelli

FOURTEENTH REPRESENTATIVE DISTRICT
Roger P. McAuliffe

FIFTEENTH REPRESENTATIVE DISTRICT
William J. Laurino

SIXTEENTH REPRESENTATIVE DISTRICT
Louis I. Lang

SEVENTEENTH REPRESENTATIVE DISTRICT
Carol Ronen

EIGHTEENTH REPRESENTATIVE DISTRICT
Janice D. "Jan" Schakowsky

NINETEENTH REPRESENTATIVE DISTRICT
Robert J. Bugielski

TWENTIETH REPRESENTATIVE DISTRICT
Joseph S. Kotlarz, Jr.

TWENTY-FIRST REPRESENTATIVE DISTRICT
Mary E. Flowers

ILLINOIS REGISTER

TWENTY-SECOND REPRESENTATIVE DISTRICT
Michael J. Madigan

TWENTY-THIRD REPRESENTATIVE DISTRICT
Daniel J. Burke

TWENTY-FOURTH REPRESENTATIVE DISTRICT
James W. Phelan

TWENTY-FIFTH REPRESENTATIVE DISTRICT
Barbara Flynn Currie

TWENTY-SIXTH REPRESENTATIVE DISTRICT
Charles G. Morrow III

TWENTY-SEVENTH REPRESENTATIVE DISTRICT
Monique D. Davis

TWENTY-EIGHTH REPRESENTATIVE DISTRICT
Thomas J. Dart

TWENTY-NINTH REPRESENTATIVE DISTRICT
Frank Giglio

THIRTIETH REPRESENTATIVE DISTRICT
Harold Murphy

THIRTY-FIRST REPRESENTATIVE DISTRICT
Todd H. Stroger

THIRTY-SECOND REPRESENTATIVE DISTRICT
Clem Balanoff

THIRY-THIRD REPRESENTATIVE DISTRICT
Rod R. Blagojevich

THIRTY-FOURTH REPRESENTATIVE DISTRICT
Nancy Kaszak

THIRTY-FIFTH REPRESENTATIVE DISTRICT
Terry A. Steczo

THIRTY-SIXTH REPRESENTATIVE DISTRICT
Maureen Murphy

THIRTY-SEVENTH REPRESENTATIVE DISTRICT
John R. Sheehy

THIRTY-EIGHTH REPRESENTATIVE DISTRICT
Larry Wennlund

THIRTY-NINTH REPRESENTATIVE DISTRICT

ILLINOIS REGISTER

Vincent A. Persico
FORTIETH REPRESENTATIVE DISTRICT
Peter Roskam
FORTY-FIRST REPRESENTATIVE DISTRICT
Mary Lou Cowlshaw
FORTY-SECOND REPRESENTATIVE DISTRICT
Suzanne L. Deuchler
FORTY-THIRD REPRESENTATIVE DISTRICT
Jack L. Kubik
FORTY-FOURTH REPRESENTATIVE DISTRICT
Thomas J. Walsh
FORTY-FIFTH REPRESENTATIVE DISTRICT
Kathleen L. "Kay" Wojcik
FORTY-SIXTH REPRESENTATIVE DISTRICT
Lee A. Daniels
FORTY-SEVENTH REPRESENTATIVE DISTRICT
David B. McAfee
FORTY-EIGHTH REPRESENTATIVE DISTRICT
Anne Zickus
FORTY-NINTH REPRESENTATIVE DISTRICT
Carole Pankau
FIFTIETH REPRESENTATIVE DISTRICT
Thomas L. Johnson
FIFTY-FIRST REPRESENTATIVE DISTRICT
Verna L. Clayton
FIFTY-SECOND REPRESENTATIVE DISTRICT
Al Salvi
FIFTY-THIRD REPRESENTATIVE DISTRICT
Terry R. Parke
FIFTY-FOURTH REPRESENTATIVE DISTRICT
Bernard E. Pedersen
FIFTY-FIFTH REPRESENTATIVE DISTRICT
Rosemary Mulligan
FIFTY-SIXTH REPRESENTATIVE DISTRICT
Carolyn H. Krause

ILLINOIS REGISTER

FIFTY-SEVENTH REPRESENTATIVE DISTRICT
Margaret R. Parcells
FIFTY-EIGHTH REPRESENTATIVE DISTRICT
Jeffrey M. Schoenberg
FIFTY-NINTH REPRESENTATIVE DISTRICT
Virginia Fiester Frederick
SIXTIETH REPRESENTATIVE DISTRICT
Lauren Beth Gash
SIXTY-FIRST REPRESENTATIVE DISTRICT
Andrea S. Moore
SIXTY-SECOND REPRESENTATIVE DISTRICT
Robert W. Churchill
SIXTY-THIRD REPRESENTATIVE DISTRICT
Ann Hughes
SIXTY-FOURTH REPRESENTATIVE DISTRICT
Cal Skinner, Jr.
SIXTY-FIFTH REPRESENTATIVE DISTRICT
Patricia Reid Lindner
SIXTY-SIXTH REPRESENTATIVE DISTRICT
Douglas L. Hoeft
SIXTY-SEVENTH REPRESENTATIVE DISTRICT
E.J. "Zeke" Giorgi
SIXTY-EIGHTH REPRESENTATIVE DISTRICT
Barbara A. Giolitto
SIXTY-NINTH REPRESENTATIVE DISTRICT
Michael V. Rotello
SEVENTIETH REPRESENTATIVE DISTRICT
David A. Wirsing
SEVENTY-FIRST REPRESENTATIVE DISTRICT
M. "Bob" DeJaegher
SEVENTY-SECOND REPRESENTATIVE DISTRICT
Joel D. Brunsvoild
SEVENTY-THIRD REPRESENTATIVE DISTRICT
Pennie L. von Bergen Wessels

ILLINOIS REGISTER

SEVENTY-FOURTH REPRESENTATIVE DISTRICT
I. Ronald Lawler

SEVENTY-FIFTH REPRESENTATIVE DISTRICT
Gerald C. "Jerry" Weller

SEVENTY-SIXTH REPRESENTATIVE DISTRICT
Frank J. Mautino

SEVENTY-SEVENTH REPRESENTATIVE DISTRICT
Angelo "Skip" Saviano

SEVENTY-EIGHTH REPRESENTATIVE DISTRICT
Robert A. (Bob) Biggins

SEVENTY-NINTH REPRESENTATIVE DISTRICT
Bill W. Balthis

EIGHTIETH REPRESENTATIVE DISTRICT
John A. Ostenburg

EIGHTY-FIRST REPRESENTATIVE DISTRICT
Judy Biggert

EIGHTY-SECOND REPRESENTATIVE DISTRICT
James H. Meyer

EIGHTY-THIRD REPRESENTATIVE DISTRICT
Brent Hassert

EIGHTY-FOURTH REPRESENTATIVE DISTRICT
Tom Cross

EIGHTY-FIFTH REPRESENTATIVE DISTRICT
John "Phil" Novak

EIGHTY-SIXTH REPRESENTATIVE DISTRICT
John C. (Jack) McGuire

EIGHTY-SEVENTH REPRESENTATIVE DISTRICT
Dan Rutherford

EIGHTY-EIGHTH REPRESENTATIVE DISTRICT
William E. Brady

EIGHTY-NINTH REPRESENTATIVE DISTRICT
Jay Ackerman

NINETIETH REPRESENTATIVE DISTRICT
Robert F. Olson

NINETY-FIRST REPRESENTATIVE DISTRICT

ILLINOIS REGISTER

Thomas J. Homer

NINETY-SECOND REPRESENTATIVE DISTRICT
Donald L. Saltzman

NINETY-THIRD REPRESENTATIVE DISTRICT
David R. Leitch

NINETY-FOURTH REPRESENTATIVE DISTRICT
Donald L. Moffitt

NINETY-FIFTH REPRESENTATIVE DISTRICT
Bill Edley

NINETY-SIXTH REPRESENTATIVE DISTRICT
Art Tenhouse

NINETY-SEVENTH REPRESENTATIVE DISTRICT
Tom Ryder

NINETY-EIGHTH REPRESENTATIVE DISTRICT
Gary Hannig

NINETY-NINTH REPRESENTATIVE DISTRICT
Vickie Moseley

ONE HUNDRETH REPRESENTATIVE DISTRICT
Michael Curran

ONE HUNDRED AND FIRST REPRESENTATIVE DISTRICT
John Dunn

ONE HUNDRED AND SECOND REPRESENTATIVE DISTRICT
N. Duane Noland

ONE HUNDRED AND THIRD REPRESENTATIVE DISTRICT
Laurel Lunt Prussing

ONE HUNDRED AND FOURTH REPRESENTATIVE DISTRICT
Timothy V. (Tim) Johnson

ONE HUNDRED AND FIFTH REPRESENTATIVE DISTRICT
William B. Black

ONE HUNDRED AND SIXTH REPRESENTATIVE DISTRICT
Michael (Mike) Weaver

ONE HUNDRED AND SEVENTH REPRESENTATIVE DISTRICT
Larry W. Hicks

ONE HUNDRED AND EIGHTH REPRESENTATIVE DISTRICT
Charles A. "Chuck" Hartke

ILLINOIS REGISTER

ONE HUNDRED AND NINTH REPRESENTATIVE DISTRICT

Kurt M. Granberg

ONE HUNDRED AND TENTH REPRESENTATIVE DISTRICT

Ron Stephens

ONE HUNDRED AND ELEVENTH REPRESENTATIVE DISTRICT

Jim McPike

ONE HUNDRED AND TWELFTH REPRESENTATIVE DISTRICT

Jay C. Hoffman

ONE HUNDRED AND THIRTEENTH REPRESENTATIVE DISTRICT

Monroe L. Flinn

ONE HUNDRED AND FOURTEENTH REPRESENTATIVE DISTRICT

Wyvetter H. Young

ONE HUNDRED AND FIFTEENTH REPRESENTATIVE DISTRICT

Gerald Hawkins

ONE HUNDRED AND SIXTEENTH REPRESENTATIVE DISTRICT

Terry W. Deering

ONE HUNDRED AND SEVENTEENTH REPRESENTATIVE DISTRICT

Larry Wollard

ONE HUNDRED AND EIGHTEENTH REPRESENTATIVE DISTRICT

David D. Phelps

Now, Therefore, I, Jim Edgar, Governor of the State of Illinois, in conformity to statute in such case made and provided, do hereby make public proclamation, declaring as a result of such canvass the foregoing persons duly elected to the offices as set out above.

Issued by the Governor November 23, 1992.

Filed with the Secretary of State November 23, 1992.

92-539

ELECTION RESULTS - JUDICIAL ADVERSARY

Whereas, On the 3rd day of November, 1992, an election was held in the State of Illinois for the election of the following judges, to wit:

Supreme Court Judges to fill the vacancy of the Honorable William G. Clark, First Judicial District; to fill the vacancy of the Honorable Thomas J. Moran, Second Judicial District; to fill the vacancy of the Honorable Horace L. Calvo, Fifth Judicial District.

Appellate Court Judges to fill the vacancy of the

ILLINOIS REGISTER

Honorable Michael A. Bilandic, to fill the vacancy of the Honorable Charles E. Freeman, to fill the vacancy of the Honorable Francis S. Lorenz, First Judicial District; to fill the vacancy of the Honorable James D. Heiple, to fill the vacancy of the Honorable William B. Wombacher, Third Judicial District.

Judges of the Circuit Court, Cook County Judicial Circuit to fill the vacancy of the Honorable John M. Breen, Jr., to fill the vacancy of the Honorable Ronald J. Crane, to fill the vacancy of the Honorable Cornelius F. Dore, Jr., to fill the vacancy of the Honorable Arthur N. Hamilton, to fill the vacancy of the Honorable Robert G. Mackey, to fill the vacancy of the Honorable Lester D. McCurrie, to fill the vacancy of the Honorable Jill K. McNulty, to fill the vacancy of the Honorable Angelo D. Mistretta, to fill the vacancy of the Honorable Gerald S. Murphy, to fill the vacancy of the Honorable Irving R. Norman, to fill the vacancy of the Honorable Benjamin E. Novoselsky, to fill the vacancy of the Honorable Anthony J. Scotillo, to fill the vacancy of the Honorable David J. Shields, to fill the vacancy of the Honorable Pasquale A. Sorrentino, to fill the vacancy of the Honorable James E. Sullivan, to fill the vacancy of the Honorable John P. Tully, to fill the vacancy of the Honorable Alfred T. Walsh.

Judges of the Circuit Court, Cook County Judicial Circuit, Inside the City of Chicago, to fill the vacancy of the Honorable Thomas J. Heneghan, to fill the vacancy of the Honorable Roger J. Kiley, Jr., to fill the vacancy of the Honorable Thomas J. Maloney, to fill the vacancy of the Honorable Albert S. Porter, to fill the vacancy of the Honorable Thomas R. Rakowski, to fill the vacancy of the Honorable Harold A. Siegan, to fill the vacancy of the Honorable Lucia Theodosia Thomas.

Judge of the Circuit Court, Cook County Judicial Circuit, Outside the City of Chicago, to fill the vacancy of the Honorable Robert L. Sklodowski.

Judges of the Circuit Court, Cook County Judicial Circuit, to fill additional judgeship A, to fill additional judgeship B, First Subcircuit; to fill additional judgeship A, to fill additional judgeship B, Second Subcircuit; to fill additional judgeship A, to fill additional judgeship B, Third Subcircuit; to fill additional judgeship A, to fill additional judgeship B, Fourth Subcircuit; to fill additional judgeship A, to fill additional judgeship B, Fifth Subcircuit; to fill additional judgeship A, to fill additional judgeship B, Sixth Subcircuit; to fill additional judgeship A, to fill additional judgeship B, Seventh Subcircuit; to fill additional judgeship A, to fill additional judgeship B, Eighth Subcircuit; to fill additional judgeship A, to fill additional judgeship B, Ninth Subcircuit; to fill additional judgeship A, to fill additional judgeship B, Tenth

Subcircuit; to fill additional judgeship A, to fill additional judgeship B, Eleventh Subcircuit; to fill additional judgeship A, to fill additional judgeship B, Twelfth Subcircuit; to fill additional judgeship A, to fill additional judgeship B, Thirteenth Subcircuit; to fill additional judgeship A, to fill additional judgeship B, Fourteenth Subcircuit; to fill additional judgeship A, to fill additional judgeship B, Fifteenth Subcircuit.

Judges of the Circuit Court, to fill the vacancy of the Honorable Richard E. Richman, Jackson County, First Judicial Circuit; to fill the vacancy of the Honorable Lehman Krause, Jefferson County, to fill the vacancy of the Honorable Philip B. Benefiel, Lawrence County, Second Judicial Circuit; to fill the vacancy of the Honorable Arthur G. Henken, Clinton County, to fill the vacancy of the Honorable Vernon Plummer, Shelby County, Fourth Judicial Circuit; to fill the vacancy of the Honorable Joseph R. Spitz, Coles County, Fifth Judicial Circuit; to fill the vacancy of the Honorable Simon L. Friedman, to fill the vacancy of the Honorable Raymond L. Terrell, Seventh Judicial Circuit; to fill the vacancy of the Honorable Lyie E. Lipe, Menard County, Eighth Judicial Circuit; to fill the vacancy of the Honorable William L. Randolph, to fill the vacancy of the Honorable Kent Slater, Ninth Judicial Circuit; to fill the vacancy of the Honorable Joe Billy McDade, to fill the vacancy of the Honorable Michael P. McCuskey, Marshall County, Tenth Judicial Circuit; to fill the vacancy of the Honorable Wayne C. Townley, Jr., to fill the vacancy of the Honorable Keith E. Campbell, McLean County, Eleventh Judicial Circuit; to fill the vacancy of the Honorable Michael A. Orenic, to fill the vacancy of the Honorable Robert R. Buchar, Will County, Twelfth Judicial Circuit; to fill the vacancy of the Honorable William P. Denny, to fill the vacancy of the Honorable Richard R. Wilder, Grundy County, to fill the vacancy of the Honorable Thomas R. Flood, LaSalle County, Thirteenth Judicial Circuit; to fill the vacancy of the Honorable Wilbur S. Johnson, Henry County, to fill the vacancy of the Honorable Robert W. Castendyck, Whiteside County, Fourteenth Judicial Circuit; to fill the vacancy of the Honorable Francis X. Mahoney, to fill the vacancy of the Honorable F. Lawrence Lenz, Ogle County, Fifteenth Judicial Circuit; to fill the vacancy of the Honorable John L. Nickels, to fill additional judgeship, Kane County, Sixteenth Judicial Circuit; to fill the vacancy of the Honorable John E. Sype, Seventeenth Judicial Circuit; to fill the vacancy of the Honorable John J. Bowman, to fill the vacancy of the Honorable Carl F.J. Henninger, to fill additional judgeship A, to fill additional judgeship B, to fill additional judgeship C, Eighteenth Judicial Circuit; to fill the vacancy of the Honorable Roland A. Herrmann, to fill additional judgeship A, Lake County, to fill additional judgeship B, Lake County, to fill additional judgeship, McHenry County, Nineteenth Judicial Circuit; to fill the

vacancy of the Honorable Carl H. Becker, Randolph County, Twentieth Judicial Circuit.

Whereas, In pursuance of Law, the State Board of Elections appointed to canvass the returns of such election and to declare the results thereof, did, on this the 23rd day of November, 1992, canvass the same, and as a result of such canvass, did declare elected the following named persons to the following named offices:

SUPREME COURT JUDGES

FIRST JUDICIAL DISTRICT

(To fill the vacancy of the Honorable William G. Clark)
Mary Ann Grohwin McMorro

SECOND JUDICIAL CIRCUIT

(To fill the vacancy of the Honorable Thomas J. Moran)
John L. Nickels

FIFTH JUDICIAL CIRCUIT

(To fill the vacancy of the Honorable Horace L. Calvo)
Moses W. Harrison

APPELLATE COURT JUDGES

FIRST JUDICIAL DISTRICT

(To fill the vacancy of the Honorable Michael A. Bilandic)
Carl McCormick

(To fill the vacancy of the Honorable Charles E. Freeman)
Robert Cahill

(To fill the vacancy of the Honorable Francis S. Lorenz)
William Cousins, Jr.

THIRD JUDICIAL DISTRICT

(To fill the vacancy of the Honorable James D. Heiple)
Peg Breslin

(To fill the vacancy of the Honorable William B. Wombacher)
Tom Lytton

JUDGES OF THE CIRCUIT COURT

COOK COUNTY JUDICIAL CIRCUIT

(To fill the vacancy of the Honorable John M. Breen, Jr.)
Donald J. O'Brien, Jr.

(To fill the vacancy of the Honorable Ronald J. Crane)
Denise Margaret O'Malley

(To fill the vacancy of the Honorable Cornelius F. Dore, Jr.)

ILLINOIS REGISTER

Daniel E. Jordan

(To fill the vacancy of the Honorable Arthur N. Hamilton)
Michael James Murphy

(To fill the vacancy of the Honorable Robert G. Mackey)
John J. Moran

(To fill the vacancy of the Honorable Lester D. McCurrie)
John A. Ward

(To fill the vacancy of the Honorable Jill K. McNulty)
Nancy Sidote Salyers

(To fill the vacancy of the Honorable Angelo D. Mistretta)
Deborah Mary Dooling

(To fill the vacancy of the Honorable Gerald S. Murphy)
Vincent Michael Gaughan

(To fill the vacancy of the Honorable Irving R. Norman)
Julia Margaret Nowicki

(To fill the vacancy of the Honorable Benjamin E. Novoselsky)
Leslie Elaine South

(To fill the vacancy of the Honorable Anthony J. Scottillo)
Joan M. Corboy

(To fill the vacancy of the Honorable David J. Shields)
Sheila Murphy

(To fill the vacancy of the Honorable Pasquale A. Sorrentino)
Sharon Marie Sullivan

(To fill the vacancy of the Honorable James E. Sullivan)
Cheyrl D. Ingram

(To fill the vacancy of the Honorable John P. Tully)
Dorothy Kirie Kinnaird

(To fill the vacancy of the Honorable Alfred T. Walsh)
Susan Ruscitti Grussel

(INSIDE THE CITY OF CHICAGO)

(To fill the vacancy of the Honorable Thomas J. Heneghan)
Robert J. Quinn

(To fill the vacancy of the Honorable Roger J. Kiley, Jr.
Susan Jeanine McDunn

ILLINOIS REGISTER

(To fill the vacancy of the Honorable Thomas J. Maloney)
William Patrick O'Malley

(To fill the vacancy of the Honorable Albert S. Porter)
James W. Kennedy

(To fill the vacancy of the Honorable Thomas R. Rakowski)
William D. Maddux

(To fill the vacancy of the Honorable Harold A. Siegan)
Jennifer Duncan Brice

(To fill the vacancy of the Honorable Lucia Theodosia Thomas)
Shelvin Louise Marie Hall

(OUTSIDE THE CITY OF CHICAGO)

(To fill the vacancy of the Honorable Robert L. Sklodowski)
Daniel J. Sullivan

FIRST SUBCIRCUIT

(To fill additional judgeship A)
Edna Mae Turkington

(To fill additional judgeship B)
Janice R. McGaughey

SECOND SUBCIRCUIT

(To fill additional judgeship A)
Bertina E. Lampkin

(To fill additional judgeship B)
William D. O'Neal

THIRD SUBCIRCUIT

(To fill additional judgeship A)
Thomas F. Carmody

(To fill additional judgeship B)
Patrick E. McGann

FOURTH SUBCIRCUIT

(To fill additional judgeship A)
Thomas Michael Davy

(To fill additional judgeship B)
Richard J. Billik, Jr.

FIFTH SUBCIRCUIT

(To fill additional judgeship A)
Timothy C. Evans

ILLINOIS REGISTER

- (To fill additional judgeship B)
Bernetta D. Bush
- (To fill additional judgeship C)
Llewellyn L. Greene-Thapedi
- SIXTH SUBCIRCUIT
(To fill additional judgeship A)
David Delgado
- (To fill additional judgeship B)
Leida J. Gonzalez Santiago
- SEVENTH SUBCIRCUIT
(To fill additional judgeship A)
Anthony L. Young
- (To fill additional judgeship B)
Dorothy F. Jones
- EIGHTH SUBCIRCUIT
(To fill additional judgeship A)
Sheldon Gardner
- (To fill additional judgeship B)
Maureen Durkin Roy
- NINTH SUBCIRCUIT
(To fill additional judgeship A)
Allen S. Goldberg
- (To fill additional judgeship B)
Ronald A. Himel
- TENTH SUBCIRCUIT
(To fill additional judgeship A)
Susan G. Fleming
- (To fill additional judgeship B)
Daniel Michael Locallo
- ELEVENTH SUBCIRCUIT
(To fill additional judgeship A)
Carol A. Kelly
- (To fill additional judgeship B)
Susan Frances Zwick
- TWELFTH SUBCIRCUIT
(To fill additional judgeship A)
John K. Madden

ILLINOIS REGISTER

- (To fill additional judgeship B)
William Maki
- THIRTEENTH SUBCIRCUIT
(To fill additional judgeship A)
Jeffrey Lawrence
- (To fill additional judgeship B)
Lester A. Bonaguro
- FOURTEENTH SUBCIRCUIT
(To fill additional judgeship A)
Raymond L. Jagielski
- (To fill additional judgeship B)
Robert W. Bertucci
- FIFTEENTH SUBCIRCUIT
(To fill additional judgeship A)
William Michael Phealan
- (To fill additional judgeship B)
Joanne L. Lanigan
- FIRST JUDICIAL CIRCUIT
JACKSON COUNTY
(To fill the vacancy of the honorable Richard E. Richman)
William G. Schwartz
- SECOND JUDICIAL CIRCUIT
JEFFERSON COUNTY
(To fill the vacancy of the Honorable Lehman Krause)
Terry Gamber
- LAWRENCE COUNTY
(To fill the vacancy of the Honorable Philip B. Benefiel)
Robert M. Hopkins
- FOURTH JUDICIAL CIRCUIT
CLINTON COUNTY
(To fill the vacancy of the Honorable Arthur G. Henken)
Patrick J. Hitpas
- SHELBY COUNTY
(To fill the vacancy of the Honorable Vernon Plummer)
Michael P. Kiley
- FIFTH JUDICIAL CIRCUIT
COLES COUNTY
(To fill the vacancy of the Honorable Joseph R. Spitz)

ILLINOIS REGISTER

Gary W. Jacobs

SEVENTH JUDICIAL CIRCUIT

(To fill the vacancy of the Honorable Simon L. Friedman)
Thomas R. Appleton

(To fill the vacancy of the Honorable Raymond L. Terrell)
Leo J. Zappa, Jr.

EIGHTH JUDICIAL CIRCUIT

MENARD COUNTY
(To fill the vacancy of the Honorable Lyle E. Lipe)
Carol Pope

NINTH JUDICIAL CIRCUIT

(To fill the vacancy of the Honorable William L. Randolph)
David R. Hultgren

(To fill the vacancy of the Honorable Kent Slater)
William E. Holdridge

TENTH JUDICIAL CIRCUIT

(To fill the vacancy of the Honorable Joe Billy McDade)
Joe R. Vespa

MARSHALL COUNTY

(To fill the vacancy of the Honorable Michael P. McCuskey)
Robert A. Barnes Jr.

ELEVENTH JUDICIAL CIRCUIT

(To fill the vacancy of the Honorable Wayne C. Townley, Jr.)
John P. Freese

MCLEAN COUNTY

(To fill the vacancy of the Honorable Keith E. Campbell)
Ron Dozier

TWELFTH JUDICIAL CIRCUIT

(To fill the vacancy of the Honorable Michael A. Orenic)
Rodney B. Lechwar

WILL COUNTY

(To fill the vacancy of the Honorable Robert R. Buchar)
Patricia A. Schneider

THIRTEENTH JUDICIAL CIRCUIT

(To fill the vacancy of the Honorable William P. Denny)
Howard Chris Ryan, Jr.

GRUNDY COUNTY

(To fill the vacancy of the Honorable Richard R. Wilder)
Robert H. Adcock

ILLINOIS REGISTER

LaSALLE COUNTY

(To fill the vacancy of the Honorable Thomas R. Flood)
James A. Lanuti

FOURTEENTH JUDICIAL CIRCUIT

HENRY COUNTY
(To fill the vacancy of the Honorable Wilbur S. Johnson)
Jay M. Hanson

WHITESIDE COUNTY

(To fill the vacancy of the Honorable Robert W. Castendyck)
Tim Slavin

FIFTEENTH JUDICIAL CIRCUIT

(To fill the vacancy of the Honorable Francis X. Mahoney)
Charles R. Hartman

OGLE COUNTY

(To fill the vacancy of the Honorable F. Lawrence Lenz)
Dennis Riley

SIXTEENTH JUDICIAL CIRCUIT

(To fill the vacancy of the Honorable John L. Nickels)
Pamela K. Jensen

KANE COUNTY

(To fill the additional judgeship)
James T. Doyle

SEVENTEENTH JUDICIAL CIRCUIT

(To fill the vacancy of the Honorable John E. Sype)
Robert G. Coplan

EIGHTEENTH JUDICIAL CIRCUIT

(To fill the vacancy of the Honorable John J. Bowman)
Bonnie M. Wheaton

(To fill the vacancy of the Honorable Carl F.J. Henninger)
Robert K. Kilander

(To fill additional judgeship A)
Robert Emmett Byrne

(To fill additional judgeship B)
S. Louis Rathje

(To fill additional judgeship C)
Ronald B. Mehling

NINETEENTH JUDICIAL CIRCUIT

(To fill the vacancy of the Honorable Roland A. Herrmann)

James C. Franz

LAKE COUNTY

(To fill additional judgeship A)
Raymond J. McKoski

(To fill additional judgeship B)
Henry C. Tonigan

MCHEERY COUNTY

(To fill additional judgeship)
Susan Fayette Hutchinson

TWENTIETH JUDICIAL CIRCUIT

RANDOLPH COUNTY

(To fill the vacancy of the Honorable Carl H. Becker)
Jerry D. Flynn

Now, Therefore, I, Jim Edgar, Governor of the State of Illinois, in conformity to statute in such case made and provided, do hereby make public proclamation, declaring as a result of such canvass the foregoing persons duly elected to the offices as set out above.

Issued by the Governor November 23, 1992.

Filed with the Secretary of State November 23, 1992.

92-540

ELECTION RESULTS - JUDICIAL RETENTION

Whereas, On the 3rd day of November, 1992, an election was held in the State of Illinois for the retention of the following judges, to wit:

Appellate Court Judge from the First Judicial District; Circuit Court Judges from the First, Second, Third, Fourth, Fifth, Sixth, Eighth, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth, Sixteenth, Eighteenth, Nineteenth, Twentieth, and Twenty-First and Cook County Judicial Circuits.

Whereas, In pursuance of Law, the State Board of Elections appointed to canvass the returns of such election and to declare the results thereof, did, on this the 23rd day of November, 1992, canvass the same, and as a result of such canvass, did declare retained the following named persons to the following named offices:

RETENTION

JUDGE OF THE APPELLATE COURT

FIRST JUDICIAL DISTRICT
Robert Chapman Buckley

JUDGES OF THE CIRCUIT COURT

FIRST JUDICIAL CIRCUIT
Snyder Howell
Donald Lowery

SECOND JUDICIAL CIRCUIT
Larry O. Baker
Donald E. Garrison
Robert M. Keenan, Jr.
David M. Correll
John Lundmark
Pat McLaughlin

THIRD JUDICIAL CIRCUIT
A. Andreas "Andy" Matosian

FOURTH JUDICIAL CIRCUIT
Dennis M. Huber
William D. Kelly
Richard H. Brummer

FIFTH JUDICIAL CIRCUIT
Ralph S. Pearman
Paul C. Komada
Rita B. Garman

SIXTH JUDICIAL CIRCUIT
John P. Shonkwiler
Jerry L. Patton

EIGHTH JUDICIAL CIRCUIT
Alfred L. Pezman
Carson D. Klitz
Thomas L. Brownfield

NINTH JUDICIAL CIRCUIT
Stephen C. Mathers
William D. Henderson

TENTH JUDICIAL CIRCUIT
Robert E. Manning, Jr.
Bruce W. Black

ELEVENTH JUDICIAL CIRCUIT
William T. Caisley
William M. Roberts
Gerald G. Dehner

TWELFTH JUDICIAL CIRCUIT
William R. Penn

ILLINOIS REGISTER

THIRTEENTH JUDICIAL CIRCUIT

C. Howard Wampler
Alex T. Bower
Louis James Perona

FOURTEENTH JUDICIAL CIRCUIT

John Donald O'Shea
Susan B. Gende
Edward Keefe
Martin E. Conway, Jr.
Clarence A. Darrow

FIFTEENTH JUDICIAL CIRCUIT

Thomas E. Hornsby
Lawrence A. Smith, Jr.
Tomas M. Magdich

SIXTEENTH JUDICIAL CIRCUIT

James F. Quetsch
Michael O'Brien
Melvin E. Dunn

EIGHTEENTH JUDICIAL CIRCUIT

William E. Black
Edward W. Kowal
John W. Darrah

NINETEENTH JUDICIAL CIRCUIT

William D. Block
Jack Hoogasian
John R. Goshgarian

TWENTIETH JUDICIAL CIRCUIT

Lloyd A. Karmeier

TWENTY-FIRST JUDICIAL CIRCUIT

Patrick M. Burns
Daniel W. Gould

COOK COUNTY JUDICIAL CIRCUIT

Earl E. Strayhorn
Arthur L. Dunne
Daniel J. White
Benjamin S. Mackoff
Frank W. Barbaro
Richard L. Curry
Willard J. Lassers
Jerome T. Burke
Christy S. Berkos
Irwin Cohen
John W. Crilly

ILLINOIS REGISTER

Lester D. Foreman
Sophia H. Hall
Thomas A. Hett
Edward H. Marsalek
John W. Rogers
Stephen A. Schiller
John V. Virgilio
Sidney A. Jones, III
Aaron Jaffe
Richard B. Berland
Miriam D. Balanoff
Patrick S. Grossi
Leo E. Holt
Paddy Harris McNamara
Richard E. Neville
Thomas P. Quinn
Irwin J. Solganick
Anton J. Valukas
Dan Weber
Alexander P. White

Now, Therefore, I, Jim Edgar, Governor of the State of Illinois, in conformity to statute in such case made and provided, do hereby make public proclamation, declaring as a result of such canvass the foregoing persons duly retained to the offices as set out above.

Issued by the Governor November 23, 1992.
Filed with the Secretary of State November 23, 1992.

92-541

ELECTION RESULTS - PROPOSED CONSTITUTIONAL AMENDMENT

Whereas, On the 3rd day of November, 1992, an election was held in the State of Illinois at which time a Proposed Amendment to add Section 8.1 of Article I of the Constitution (Crime Victim's Rights) was submitted, and

Whereas, In pursuance of Law, the State Board of Elections appointed to canvass the returns of such election and to declare the results thereof, did, on this the 23rd day of November, 1992, canvass the same, and as a result of such canvass, did declare that the same having received either three-fifths of those voting on the question or a majority of those voting in the election is therefore adopted.

Now, Therefore, I, Jim Edgar, Governor of the State of Illinois, in conformity to statute in such case made and provided, do hereby make public proclamation, declaring as a result of such canvass the foregoing Proposed Amendment is adopted.

Issued by the Governor November 23, 1992.
Filed with the Secretary of State November 23, 1992.

ILLINOIS REGISTER

92-542
ELECTION RESULTS - MULTI COUNTY REGIONAL
SUPERINTENDENTS OF SCHOOLS

Whereas, On the 3rd day of November, 1992, an election was held in the State of Illinois for the election of the following officers, to-wit:

Two (2) Regional Superintendents of Schools (unexpired two year term), to-wit: One (1) Regional Superintendent of Schools from Champaign and Ford Region and Hancock and McDonough Region.

Whereas, In pursuance of Law, the State Board of Elections appointed to canvass the returns of such election and to declare the results thereof, did, on this the 23rd day of November, 1992, canvass the same, and as a result of such canvass, did declare elected the following named persons to the following names offices:

REGIONAL SUPERINTENDENTS OF SCHOOLS

CHAMPAIGN AND FORD
Martin L. Barrett

HANCOCK AND McDONOUGH
Robert Baumann

Now, Therefore, I, Jim Edgar, Governor of the State of Illinois, in conformity to statute in such case made and provided, do hereby make public proclamation, declaring as a result of such canvass the foregoing persons duly elected to the offices as set out above.

Issued by the Governor November 23, 1992.
Filed with the Secretary of State November 23, 1992.

92-543
ELECTION RESULTS - TRUSTEES OF THE PRAIRIE DUPONT
LEVEE AND SANITARY DISTRICT

Whereas, On the 3rd day of November, 1992, an election was held in the State of Illinois for the election of the following officers, to-wit:

Five (5) Trustees of the Prairie Dupont Levee and Sanitary District.

Whereas, In pursuance of Law, the State Board of Elections appointed to canvass the returns of such election and to declare the results thereof, did, on this the 23rd day of November, 1992, canvass the same, and as a result of such canvass, did declare elected the following named persons to the following named office:

TRUSTEES OF THE PRAIRIE DUPONT LEVEE AND SANITARY DISTRICT

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Michael E. Sullivan
Jerry Wayne Chartrand
Jule G. Levin
William R. (Freddie) Harris, Jr.
Lawrence (Jack) Noethen

Now, Therefore, I, Jim Edgar, Governor of the State of Illinois, in conformity to statute in such case made and provided, do hereby make public proclamation, declaring as a result of such canvass the foregoing persons duly elected to the office as set out above.

Issued by the Governor November 23, 1992.
Filed with the Secretary of State November 23, 1992.

ACTION CODES	
A - Adopted Rule	P - Proposed Rule
AR - Adopted Repealer	PF - Prohibited Filing Order by JCAR*
C - Notice of Corrections	PP - Peremptory or Court Ordered Rules
CC - Codification Changes	PR - Proposed Repealer
E - Emergency Rule	R - Refusal to meet JCAR Objection
ER - Emergency Repealer	RC - Statement of Recommendation
M - Modification to meet JCAR objections	S - Suspension ordered by JCAR
O - JCAR Statement of Objections	W - Withdrawal to meet JCAR Objections
RQ - Request for Correction	
EC - Expedited Corrections	

*Joint Committee on Administrative Rules

ALL RULES ARE LISTED BY PART NUMBER AND HEADING ONLY. (FOR ACTION ON SPECIFIC SECTIONS, PLEASE REFER TO THE SECTIONS AFFECTED INDEX.) IF THERE ARE ANY QUESTIONS, PLEASE CONTACT THE ADMINISTRATIVE CODE DIVISION AT (217) 782-9786.

ABANDONED MINED LANDS RECLAMATION COUNCIL

- 62 Ill. Adm. Code 2501 Abandoned Mined Lands Reclamation (P-2719; A-8345) (E-2897)(P-11363) (P-14335/91; A-11403) (E-11625)
- 4 Ill. Adm. Code 1000 Americans With Disabilities Act Grievance Procedure (P-12799)

AGING, DEPARTMENT ON

- 89 Ill. Adm. Code 240 Community Care Program (E-17398/91; S-1744; W-2955; M-2943) (P-17007/91; PF-1744; M-2930; A-11731) (E-2630) (E-2901) (E-4069; RC-6898) (P-4087; C-5083; A-14565) (P-12251; C-13662) (E-12615; M-16680) (P-11363; A-18767) (A-11403) (E-11625) (O-15183)(P-15203)
- 89 Ill. Adm. Code 230 Older Americans Act Programs (P-3605; A-15401) (O-15184) (R-15590)

AGRICULTURE, DEPARTMENT OF

- 8 Ill. Adm. Code 1 Administrative Rules (Formal Administrative Proceedings; Contested Cases; Petitions; Declaratory Rulings; Public Disclosure) (P-8631; A-15850)
- 4 Ill. Adm. Code 550 Americans With Disabilities Act Grievance Procedure (P-5097; A-11744)
- 8 Ill. Adm. Code 30 Animal Control Act (P-3618; A-11751)
- 8 Ill. Adm. Code 110 Animal Diagnostic Laboratory Act (P-3624; A-11416)
- 8 Ill. Adm. Code 200 Commercial Feed Act (P-9169; A-15889)
- 8 Ill. Adm. Code 85 Diseased Animals (P-3635; A-11756)
- 8 Ill. Adm. Code 305 Governor's Agricultural Heritage Award (P-7949; A-13788)
- 8 Ill. Adm. Code 55 Hatcheries, Poultry Flocks, & Produce Thereof (P-3646; A-11766)
- 8 Ill. Adm. Code 90 Ill. Dead Animal Disposal Act (P-3653; A-11773)

AGRICULTURE, DEPARTMENT OF (CONT'D)

- 8 Ill. Adm. Code 115 Ill. Pseudorabies Control Act (P-3661; A-11781)
- 8 Ill. Adm. Code 256 Lawncare & Wash Water Rinsate Collection (P-14975)
- 8 Ill. Adm. Code 40 Livestock Auction Markets (P-3673; A-11793)
- 8 Ill. Adm. Code 125 Meat & Poultry Inspection Act (PP-1899) (P-1921; A-8349) (PP-11687) (PP-11963) (PP-12234) (PP-16337) (PP-17165)
- 2 Ill. Adm. Code 700 Organizational Chart, Description, Rulemaking Procedure, & Programs (A-3893)
- 8 Ill. Adm. Code 235 Seed Arbitration (P-2969; A-8361)
- 8 Ill. Adm. Code 211 Soil Amendments (P-7955; A-13794)
- 68 Ill. Adm. Code 580 Specialty Farm Product Buyers Act (P-8671; A-15913)
- 8 Ill. Adm. Code 5 Standardization of Agriculture Products (P-3231; A-8364)
- 8 Ill. Adm. Code 105 Swine Disease Control & Eradication Act (P-3680; A-11799)

ALCOHOLISM AND SUBSTANCE ABUSE, DEPARTMENT OF

- 4 Ill. Adm. Code 500 Americans With Disabilities Act Grievance Procedure (P-2721; A-11426)
- 77 Ill. Adm. Code 2031 Award Criteria & Procedure (P-9149/91; AR-2455)
- 77 Ill. Adm. Code 2030 Award & Monitoring of Funds (P-9083/91; A-2457)
- 77 Ill. Adm. Code 2056 Driving Under the Influence Programs (P-4567; A-15917)
- 77 Ill. Adm. Code 2030 Fiscal & Programmatic Requirements (P-9153/91; AR-2530)
- 77 Ill. Adm. Code 2090 Subacute Alcoholism & Substance Abuse Treatment Services (P-5104; A-11807)
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TYPE OF RULEMAKING

am = amendment to existing Section
cc = codification changes
n = new Section
r = repeal of existing Section
re = recodified
= renumbered

ACTION CODES

A = Adopted rule
C = Correction
P = Proposed Rule
E = Emergency rule
PP = Peremptory rule
M = Modification
W = Withdrawal
RQ = Request for Correction
PF = Prohibited filing
S = Suspension
O = JCAR Objection
R = Refusal to Modify
F = Failure to Remedy Objections
RC = Recommendation
EC = Expedited Correction
CC = Codification Changes

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225.70	n	(P-7749)	n	450.60	(P-2292; A-8944)
275.10	n	(P-2010; A-7003)	n	450.70	(P-2292; A-8944)
275.20	n	(P-2010; A-7003)	n	475.10	(P-3707; A-10423)
275.30	n	(P-2010; A-7003)	n	475.15	(P-3707; A-10423)
275.40	n	(P-2010; A-7003)	n	475.17	(P-3707; A-10423)
275.50	n	(P-2010; A-7003)	n	475.20	(P-3707; A-10423)
275.60	n	(P-2010; A-7003)	n	475.30	(P-3707; A-10423)
275.70	n	(P-2010; A-7003)	n	475.40	(P-3707; A-10423)
500.1	n	(P-2010; A-7003)	n	475.50	(P-3707; A-10423)
	n	(P-2010; A-7003)	n	500.1	(P-2721; A-11426)

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TITLE 1	n	(P-2314; A-8509)	1720.120	n	(A-4503)
245.100	n	(P-2314; A-8509)	1720.200	n	(A-4503)
245.110	n	(P-2314; A-8509)	1720.210	n	(A-4503)
245.120	n	(P-2314; A-8509)	1720.300	n	(A-4503)
245.130	n	(P-2314; A-8509)	1720.310	n	(A-4503)
245.140	n	(P-2314; A-8509)	1720.320	n	(A-4503)
245.Ex.A	n	(P-2314; A-8509)	1720.330	n	(A-4503)
245.Ex.B	n	(P-2314; A-8509)	1720.340	n	(A-4503)
300.100	am	(P-11391)	1720.350	n	(A-4503)
300.200	am	(P-11391)	1720.360	n	(A-4503)
300.300	r	(P-11391)	1720.370	n	(A-4503)
300.400	am	(P-11391)	1720.380	n	(A-4503)
300.Ap.A	r	(P-11391)	1800.10	am	(P-5565; A-16401)
			1800.20	am	(P-5565; A-16401)
			1800.100	am	(P-5565; A-16401)
			1800.11.A	am	(P-5565; A-16401)
	am	(A-13229)	2600.130	am	(P-5565; A-16401)
351.200	am	(A-13229)	2900.10	n	(A-12152)
351.400	am	(A-13229)	2900.100	n	(A-12152)
351.A.D	am	(A-13229)	2900.110	n	(A-12152)
351.A.E	am	(A-13229)	2900.120	n	(A-12152)
550.210	am	(A-7697)	2900.200	n	(A-12152)
700.10	am	(A-3893)	2900.210	n	(A-12152)
700.20	am	(A-3893)	2900.220	n	(A-12152)
700.30	am	(A-3893)	2900.230	n	(A-12152)
700.35	n	(A-3893)	2900.Ap.A	n	(A-12152)
700.40	am	(A-3893)	2905.10	n	(A-12145)
700.50	am	(A-3893)	2905.20	n	(A-12145)
700.60	am	(A-3893)	2905.100	n	(A-12145)
700.70	am	(A-3893)	2905.110	n	(A-12145)
700.100	am	(A-3893)	2905.200	n	(A-12145)
700.130	am	(A-3893)	2905.210	n	(A-12145)
700.140	am	(A-3893)	2905.300	n	(A-12145)
825.190	am	(A-18974)	2905.310	n	(A-12145)
825.210	am	(A-18974)	2905.400	n	(A-12145)
825.220	am	(A-18974)	2905.410	n	(A-12145)
825.Tb.A	am	(A-18974)	2905.420	n	(A-12145)
1027.10	n	(A-11445)	2925.10	n	(A-14653)
1052.10	n	(P-2322)	2925.20	n	(A-14653)
1052.20	n	(P-2322)	2925.30	n	(A-14653)
1052.30	n	(P-2322)	2925.40	n	(A-14653)
1052.40	n	(P-2322)	2925.100	n	(A-14653)
1052.50	n	(P-2322)	2925.200	n	(A-14653)
1052.60	n	(P-2322)	2925.300	n	(A-14653)
1052.70	n	(P-2322)	2925.305	n	(A-14653)
1052.80	n	(P-2322)	2925.315	n	(A-14653)
1052.Ap.A	n	(P-2322)	2925.320	n	(A-14653)
1177.10	n	(A-12778)	2925.325	n	(A-14653)
1650.Tb.A	am	(A-13237)	2925.330	n	(A-14653)
1702.10	n	(A-11442)	2925.335	n	(A-14653)
1702.20	n	(A-11442)	2925.340	n	(A-14653)
1720.100	n	(A-4503)	2925.345	n	(A-14653)
1720.110	n	(A-4503)			

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500.3	n	(P-2721; A-11426)	720.103	n	(P-15684)
500.4	n	(P-2721; A-11426)	720.201	n	(P-15684)
500.5	n	(P-2721; A-11426)	720.202	n	(P-15684)
500.6	n	(P-2721; A-11426)	720.203	n	(P-15684)
500.7	n	(P-2721; A-11426)	720.204	n	(P-15684)
550.10	n	(P-5097; A-11744)	725.10	n	(P-3689; A-11432)
550.20	n	(P-5097; A-11744)	725.20	n	(P-3689; A-11432)
550.30	n	(P-5097; A-11744)	725.30	n	(P-3689; A-11432)
550.40	n	(P-5097; A-11744)	725.40	n	(P-3689; A-11432)
550.50	n	(P-5097; A-11744)	725.50	n	(P-3689; A-11432)
550.60	n	(P-5097; A-11744)	725.60	n	(P-3689; A-11432)
550.70	n	(P-5097; A-11744)	725.70	n	(P-3689; A-11432)
575.10	n	(P-7083; A-14621)	750.10	n	(P-8338; A-14418)
575.20	n	(P-7083; A-14621)	750.20	n	(P-8338; A-14418)
575.30	n	(P-7083; A-14621)	750.30	n	(P-8338; A-14418)
575.40	n	(P-7083; A-14621)	750.40	n	(P-8338; A-14418)
575.50	n	(P-7083; A-14621)	750.50	n	(P-8338; A-14418)
575.60	n	(P-7083; A-14621)	750.60	n	(P-8338; A-14418)
600.10	n	(P-5569; A-18062)	775.10	n	(P-13710)
600.20	n	(P-5569; A-18062)	775.20	n	(P-13710)
600.30	n	(P-5569; A-18062)	775.30	n	(P-13710)
600.40	n	(P-5569; A-18062)	775.40	n	(P-13710)
600.50	n	(P-5569; A-18062)	775.50	n	(P-13710)
600.60	n	(P-5569; A-18062)	775.60	n	(P-13710)
600.70	n	(P-5569; A-18062)	775.70	n	(P-13710)
625.10	n	(P-2322; A-10282)	800.10	n	(P-11988)
625.20	n	(P-2322; A-10282)	800.20	n	(P-11988)
625.30	n	(P-2322; A-10282)	800.30	n	(P-11988)
625.40	n	(P-2322; A-10282)	800.40	n	(P-11988)
625.50	n	(P-2322; A-10282)	800.50	n	(P-11988)
625.60	n	(P-2322; A-10282)	800.60	n	(P-11988)
625.70	n	(P-2322; A-10282)	800.70	n	(P-11988)
625.80	n	(P-2322; A-10282)	800.80	n	(P-11988)
625.90	n	(P-2322; A-10282)	800.90	n	(P-11988)
650.10	n	(P-3253; A-8503)	850.10	n	(P-8026; A-18069)
650.20	n	(P-3253; A-8503)	850.20	n	(P-8026; A-18069)
650.30	n	(P-3253; A-8503)	850.30	n	(P-8026; A-18069)
650.40	n	(P-3253; A-8503)	850.40	n	(P-8026; A-18069)
650.50	n	(P-3253; A-8503)	850.50	n	(P-8026; A-18069)
650.60	n	(P-3253; A-8503)	850.60	n	(P-8026; A-18069)
650.70	n	(P-3253; A-8503)	850.70	n	(P-8026; A-18069)
675.10	n	(P-1779; A-8523)	875.10	n	(P-8160; A-18844)
675.20	n	(P-1779; A-8523)	875.20	n	(P-8160; A-18844)
675.30	n	(P-1779; A-8523)	875.30	n	(P-8160; A-18844)
675.40	n	(P-1779; A-8523)	875.40	n	(P-8160; A-18844)
675.50	n	(P-1779; A-8523)	875.50	n	(P-8160; A-18844)
675.60	n	(P-1779; A-8523)	875.60	n	(P-8160; A-18844)
675.70	n	(P-1779; A-8523)	875.70	n	(P-8160; A-18844)
720.101	n	(P-15684)	875.80	n	(P-8160; A-18844)

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900.20	n	(P-9273)	1075.20	n	(P-14182)
900.30	n	(P-9273)	1075.30	n	(P-14182)
900.40	n	(P-9273)	1075.40	n	(P-14182)
900.50	n	(P-9273)	1075.50	n	(P-14182)
900.60	n	(P-9273)	1075.60	n	(P-14182)
900.70	n	(P-9273)	1075.70	n	(P-14182)
925.100	n	(P-10534)	TITLE 8		
925.110	n	(P-10534)	1.10	am	(P-8631; A-15850)
925.120	n	(P-10534)	1.15	am	(P-8631; A-15850)
925.130	n	(P-10534)	1.20	am	(P-8631; A-15850)
925.140	n	(P-10534)	1.22	n	(P-8631; A-15850)
925.150	n	(P-10534)	1.25	am	(P-8631; A-15850)
925.160	n	(P-10534)	1.40	am	(P-8631; A-15850)
925.160	n	(P-10534)	1.42	n	(P-8631; A-15850)
925.160	n	(P-10534)	1.44	n	(P-8631; A-15850)
925.160	n	(P-10534)	1.45	am	(P-8631; A-15850)
925.160	n	(P-10534)	1.50	am	(P-8631; A-15850)
925.160	n	(P-10534)	1.55	am	(P-8631; A-15850)
925.160	n	(P-10534)	1.60	am	(P-8631; A-15850)
925.160	n	(P-10534)	1.65	am	(P-8631; A-15850)
925.160	n	(P-10534)	1.75	am	(P-8631; A-15850)
925.160	n	(P-10534)	1.77	n	(P-8631; A-15850)
925.160	n	(P-10534)	1.80	am	(P-8631; A-15850)
925.160	n	(P-10534)	1.85	am	(P-8631; A-15850)
925.160	n	(P-10534)	1.90	am	(P-8631; A-15850)
925.160	n	(P-10534)	1.95	am	(P-8631; A-15850)
925.160	n	(P-10534)	1.112	n	(P-8631; A-15850)
925.160	n	(P-10534)	1.114	n	(P-8631; A-15850)
925.160	n	(P-10534)	1.116	n	(P-8631; A-15850)
925.160	n	(P-10534)	1.118	n	(P-8631; A-15850)
925.160	n	(P-10534)	1.120	n	(P-8631; A-15850)
925.160	n	(P-10534)	1.122	n	(P-8631; A-15850)
925.160	n	(P-10534)	1.124	n	(P-8631; A-15850)
925.160	n	(P-10534)	1.126	n	(P-8631; A-15850)
925.160	n	(P-10534)	1.128	n	(P-8631; A-15850)
925.160	n	(P-10534)	1.225	am	(P-8631; A-15850)
925.160	n	(P-10534)	1.240	am	(P-8631; A-15850)
925.160	n	(P-10534)	1.265	am	(P-8631; A-15850)
925.160	n	(P-10534)	1.270	am	(P-8631; A-15850)
925.160	n	(P-10534)	1.275	am	(P-8631; A-15850)
925.160	n	(P-10534)	1.280	am	(P-8631; A-15850)
925.160	n	(P-10534)	1.285	am	(P-8631; A-15850)
925.160	n	(P-10534)	1.295	am	(P-8631; A-15850)
925.160	n	(P-10534)	1.300	am	(P-8631; A-15850)
925.160	n	(P-10534)	1.305	am	(P-8631; A-15850)
925.160	n	(P-10534)	1.310	r	(P-8631; A-15850)
925.160	n	(P-10534)	1.315	r	(P-8631; A-15850)
925.160	n	(P-10534)	1.320	r	(P-8631; A-15850)
925.160	n	(P-10534)	1.325	r	(P-8631; A-15850)

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1.330	r	115.10	am	(P-8631; A-15850)
1.335	r	115.20	am	(P-8631; A-15850)
1.340	r	115.30	am	(P-8631; A-15850)
1.345	r	115.40	am	(P-8631; A-15850)
1.350	r	115.70	am	(P-8631; A-15850)
1.400	r	115.80	am	(P-8631; A-15850)
1.410	r	115.100	am	(P-8631; A-15850)
1.415	r	121.25	am	(P-8631; A-15850)
1.420	r	125.10	am	(P-8631; A-15850)
1.425	r	125.30	am	(P-8631; A-15850)
1.435	r	125.100	am	(P-8631; A-15850)
1.445	r	125.190	am	(P-8631; A-15850)
1.500	am	125.260	am	(P-8631; A-15850)
.II.A	am			(P-8631; A-15850)
.II.B	am			(P-8631; A-15850)
5.90	r	125.270	am	(P-3231; A-8364)
30.150	am			(P-3618; A-11751)
40.5	am	125.280	am	(P-3673; A-11793)
40.60	am	125.290	am	(P-3673; A-11793)
40.100	am	125.295	n	(P-3673; A-11793)
40.170	am	125.380	am	(P-3673; A-11793)
55.10	am			(P-3646; A-11766)
55.40	am	125.390	am	(P-3646; A-11766)
55.45	am			(P-3646; A-11766)
55.50	am	200.10	r	(P-3646; A-11766)
55.90	am	200.15	r	(P-3646; A-11766)
55.100	am	200.20	r	(P-3646; A-11766)
85.5	am	200.25	n	(P-3635; A-11756)
85.10	am	200.30	r	(P-3635; A-11756)
85.15	am	200.35	n	(P-3635; A-11756)
85.75	am	200.40	r	(P-3635; A-11756)
85.80	am	200.45	r	(P-3635; A-11756)
85.100	am	200.50	r	(P-3635; A-11756)
85.115	am	200.55	n	(P-3635; A-11756)
85.120	n	200.60	r	(P-3635; A-11756)
90.5	n	200.65	r	(P-3653; A-11773)
90.110	am	200.70	r	(P-3653; A-11773)
100.50	am	200.75	n	(P-3624; A-11416)
100.80	am	200.85	n	(P-3624; A-11416)
100.90	am	200.90	r	(P-3624; A-11416)
100.110	am	200.95	n	(P-3624; A-11416)
100.120	am	200.100	r	(P-3624; A-11416)
105.5	am	200.110	r	(P-3680; A-11799)
105.10	am	200.120	n	(P-3680; A-11799)
105.30	am	200.130	n	(P-3680; A-11799)
105.90	n	200.140	n	(P-3680; A-11799)
110.50	am	200.150	n	(P-3624)
110.80	am	200.160	n	(P-3624)
110.90	am	200.170	n	(P-3624)
110.110	am	200.200	n	(P-3624)

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200.210	r	(P-12372)	r
200.220	n	(P-9169; A-15889)	416.70
211.10	n	(P-7955; A-13794)	416.80
211.20	n	(P-7955; A-13794)	416.90
211.30	n	(P-7955; A-13794)	417.10
211.40	n	(P-7955; A-13794)	417.20
211.50	n	(P-7955; A-13794)	417.30
211.60	n	(P-7955; A-13794)	417.40
211.70	n	(P-7955; A-13794)	417.50
211.80	n	(P-7955; A-13794)	417.60
235.10	n	(P-2969; A-8361)	417.70
235.20	n	(P-2969; A-8361)	417.80
256.10	n	(P-14975)	417.90
256.20	n	(P-14975)	422.10
256.30	n	(P-14975)	422.70
256.40	n	(P-14975)	422.90
256.50	n	(P-14975)	422.100
256.60	n	(P-14975)	422.110
256.70	n	(P-14975)	433.120
256.80	n	(P-14975)	434.05
256.90	n	(P-14975)	434.10
305.10	n	(P-7949; A-13788)	434.20
305.20	n	(P-7949; A-13788)	434.40
305.30	n	(P-7949; A-13788)	435.20
305.40	n	(P-7949; A-13788)	436.05
305.50	n	(P-7949; A-13788)	436.10
305.60	n	(P-7949; A-13788)	436.20
305.70	n	(P-7949; A-13788)	436.40
1400.147	am	(P-8297)	436.50
1400.149	am	(P-8297)	436.60
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205.10	n	(E-16318)	436.80
205.20	n	(E-16318)	436.90
205.30	n	(E-16318)	436.100
205.40	n	(E-16318)	436.110
205.50	n	(E-16318)	436.120
205.60	n	(E-16318)	436.130
205.70	n	(E-16318)	436.140
205.80	n	(E-16318)	438.40
205.90	n	(E-16318)	440.40
205.100	n	(E-16318)	440.50
205.110	n	(E-16318)	440.60
405.90	am	(P-2436; A-8232)	440.120
409.20	am	(P-11005)	440.160
415.60	n	(P-1263; A-7486)	450.10
416.10	r	(P-12372)	502.30
416.20	r	(P-12372)	509.10
416.30	r	(P-12372)	509.20
416.40	r	(P-12372)	509.30

(P-12372)	r	(P-12372)
(P-12372)	r	(P-12372)
(P-12372)	r	(P-12372)
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TITLE 11 (CONT'D)

509.40	am	(P-6955)	1770.50	am	(P-16738)
509.50	am	(P-6955)	1770.60	am	(P-16738)
509.60	am	(P-6955)	1770.80	am	(P-16738)
509.70	am	(P-6955)	1770.90	am	(P-16738)
509.75	am	(P-6955)	1770.110	am	(P-16738)
509.80	am	(P-6955)	1770.120	am	(P-16738)
509.85	am	(P-6955)	1770.130	am	(P-16738)
509.90	am	(P-6955)	1770.150	am	(P-16738)
509.95	n	(P-6955)	1770.160	am	(P-16738)
509.100	am	(P-6955)	1770.170	am	(P-16738)
509.110	am	(P-6955)	1770.180	am	(P-16738)
509.130	r	(P-6955)	1770.190	am	(P-16738)
509.140	am	(P-6955)	1770.200	am	(P-16738)
509.150	am	(P-6955)	1770.210	n	(P-16738)
509.160	am	(P-6955)			
509.170	am	(P-6955)			
509.175	r	(P-6955)			
509.190	am	(P-6955)	170.10	am	(P-14209/91; A-6000)
509.195	r	(P-6955)	170.11	am	(P-5247; A-11196)
509.200	am	(P-6955)	170.12	am	(P-5247; A-11196)
509.210	am	(P-6955)	170.13	am	(P-5247; A-11196)
509.220	am	(P-6955)	170.14	am	(P-5247; A-11196)
509.230	am	(P-6955)	170.17	am	(P-5247; A-11196)
509.240	r	(P-6955)	170.20	am	(P-5247; A-11196)
509.250	r	(P-6955)			
509.260	r	(P-6955)	170.30	n	(P-13784)
509.265	r	(P-6955)	175.10	am	(P-5247; A-11196)
509.270	am	(P-6955)	520.900	am	(P-7518/91; A-4058)
1305.120	r	(P-2439)	520.920	am	(P-89)
1305.130	r	(P-2439)	520.930	am	(P-13691)
1305.140	am	(P-2439)	520.1020	am	(P-89) (P-13691)
1314.10	r	(P-2433; A-8229)	520.1030	am	(P-89)
1318.180	n	(P-15388/91; A-7489)	520.1100	n	(P-6524; A-17258)
1318.190	n	(P-15388/91; A-7489)	520.1110	n	(P-6524; A-17258)
1413.150	am	(P-13218)	520.1120	n	(P-6524; A-17258)
1424.100	r	(P-2444; A-11193)	520.1130	n	(P-6524; A-17258)
1424.105	r	(P-2444)	520.1140	n	(P-6524; A-17258)
1424.170	am	(P-12133)	526.10	n	(P-6524; A-17258)
1424.175	r	(P-12133)	526.20	n	(P-6524; A-17258)
1424.250	am	(P-1266; A-7493)	526.30	n	(P-6524; A-17258)
1705.10	n	(P-1779)	526.40	n	(P-6524; A-17258)
1705.20	n	(P-1779)	526.50	n	(P-6524; A-17258)
1705.30	n	(P-1779)	526.60	n	(P-6524; A-17258)
1705.40	n	(P-1779)	526.70	n	(P-6524; A-17258)
1705.60	n	(P-1779)	526.80	n	(P-6524; A-17258)
1705.70	n	(P-1779)	526.90	n	(P-6524; A-17258)
1770.10	am	(P-16738)	550.20	am	(P-7090; A-14628)
1770.20	am	(P-16738)	550.30	am	(P-7090; A-14628)
1770.30	am	(P-16738)	550.35	am	(P-10249/91; A-3464)
1770.40	am	(P-16738)	550.40	am	(P-7090; A-14628)
			550.50	am	(P-7090; A-14628)

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550.60	am	(P-7090; A-14628)	130.30	am	(P-8275; A-15982)
1220.100	n	(P-8747/91; A-10163)	130.40	am	(P-8275; A-15982)
1220.110	n	(P-8747/91; A-10163)	130.50	am	(E-7925; C-8614)
1220.120	n	(P-8747/91; A-10163)			(P-8275; A-15982)
1220.130	n	(P-8747/91; A-10163)	130.70	am	(E-7925; C-8614)
1220.140	n	(P-8747/91; A-10163)			(P-8275; A-15982)
1220.150	n	(P-8747/91; A-10163)	130.120	am	(E-7925; C-8614)
1220.160	n	(P-8747/91; A-10163)			(P-8275; A-15982)
1220.200	n	(P-8747/91; A-10163)	130.130	am	(E-7925; C-8614)
1220.210	n	(P-8747/91; A-10163)			(P-8275; A-15982)
1220.220	n	(P-8747/91; A-10163)	130.135	am	(P-8275; A-15982)
1220.230	n	(P-8747/91; A-10163)	150.20	am	(P-18055/91; A-4839)
1220.240	n	(P-8747/91; A-10163)	150.30	am	(P-18055/91; A-4839)
1220.250	n	(P-8747/91; A-10163)	150.40	am	(P-18055/91; A-4839)
1220.300	n	(P-8747/91; A-10163)	220.60	am	(P-18050/91; A-7335)
1220.310	n	(P-8747/91; A-10163)	510.10	am	(P-5436; A-11064)
1220.320	n	(P-8747/91; A-10163)	525.30	am	(P-15647/91; A-1826)
1220.330	n	(P-8747/91; A-10163)	530.10	am	(P-7161; A-12470)
1220.400	n	(P-8747/91; A-10163)	530.20	am	(P-7161; A-12470)
1220.410	n	(P-8747/91; A-10163)	530.70	am	(P-7161; A-12470)
1220.500	n	(P-8747/91; A-10163)			(P-12280; A-18951)
1220.510	n	(P-8747/91; A-10163)	530.80	am	(P-7161; A-12470)
1220.520	n	(P-8747/91; A-10163)			(P-12280; A-18951)
1230.100	n	(P-9222)	530.90	am	(P-7161; A-12470)
1230.110	n	(P-9222)			(P-12280; A-18951)
1230.200	n	(P-9222)	530.100	am	(P-7161; A-12470)
1230.210	n	(P-9222)			(P-12280; A-18951)
1230.300	n	(P-9222)	530.105	am	(P-7161; A-12470)
1230.310	n	(P-9222)			(P-12280; A-18951)
1230.400	n	(P-9222)	530.110	am	(P-7161; A-12470)
1230.500	n	(P-9222)			(P-12280; A-18951)
1230.510	n	(P-9222)	530.115	n	(P-7161; A-12470)
1230.520	n	(P-9222)	530.120	am	(P-7161; A-12470)
1230.530	n	(P-9222)	550.20	am	(P-5454; A-11078)
1230.540	n	(P-9222)	550.30	am	(P-5454; A-11078)
			570.20	am	(P-5443; A-11069)
			570.30	am	(P-5443; A-11069)
			570.40	am	(P-5443; A-11069)
			590.10	am	(P-14157/91; A-570)
					(P-7189; A-12491)
					(E-16672)
			590.20	am	(P-14157/91; A-570)
					(P-7189; A-12491)
			590.25	am	(P-7189; A-12491)
			590.26	n	(P-7189; A-12491)
			590.30	am	(P-7189; A-12491)
			590.50	am	(P-7189; A-12491)
			590.60	am	(P-14157/91; A-570)
					(P-7189; A-12491)

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TITLE 17 (CONT'D)			3010.70	am	(P-14794/91; A-1806)
890.50	n	(P-17811/91; A-5262)	3010.80	am	(P-14794/91; A-1806)
950.20	am	(P-5429; A-11034)	3020.20	am	(P-14820/91; A-1833)
950.40	am	(P-5429; A-11034)	3020.40	am	(P-14820/91; A-1833)
960.30	am	(P-5433; A-11038)	3020.50	am	(P-14820/91; A-1833)
970.10	r	(P-2727; R-8497)	3020.70	am	(P-14820/91; A-1833)
970.20	r	(P-2727; R-8497)	3020.80	am	(P-14820/91; A-1833)
970.30	r	(P-2727; R-8497)	3030.30	am	(P-14807/91; A-1816)
970.40	r	(P-2727; R-8497)	3030.50	am	(P-14807/91; A-1816)
970.50	r	(P-2727; R-8497)	3030.60	am	(P-14807/91; A-1816)
970.60	r	(P-2727; R-8497)	3035.40	am	(P-14783/91; A-1797)
1110.30	am	(P-13594/91; A-103)	3035.70	am	(P-14783/91; A-1797)
1530.30	am	(P-2972; A-8489)	3035.80	am	(P-14783/91; A-1797)
1530.50	am	(P-2972; A-8489)	4170.100	n	(P-5576)
1530.60	am	(P-2972; A-8489)		n	(P-209/91; A-14200)
1530.Ex.A	n	(P-2972; A-8489)	4170.110	n	(P-5576)
1530.Ex.B	n	(P-2972; A-8489)		n	(P-209/91; A-14200)
1535.1	n	(P-2979; A-8499)	4170.120	n	(P-5576)
1535.5	am	(P-2979; A-8499)	4170.130	n	(P-5576)
1535.50	am	(P-2979; A-8499)	4170.200	n	(P-5576)
1538.5	n	(P-755; W-4555)		n	(P-209/91; A-14200)
		(P-4148; A-11108)	4170.210	n	(P-209/91; A-14200)
1538.10	n	(P-755; W-4555)	4170.250	n	(P-5576)
		(P-4148; A-11108)	4170.300	n	(P-5576)
1538.20	n	(P-755; W-4555)		n	(P-209/91; A-14200)
		(P-4148; A-11108)	4170.310	n	(P-209/91; A-14200)
1538.30	n	(P-755; W-4555)	4170.320	n	(P-209/91; A-14200)
		(P-4148; A-11108)	4170.330	n	(P-209/91; A-14200)
1538.40	n	(P-755; W-4555)	4170.340	n	(P-209/91; A-14200)
		(P-4148; A-11108)	4170.400	n	(P-5576)
1538.50	n	(P-755; W-4555)		n	(P-209/91; A-14200)
		(P-4148; A-11108)	4170.410	n	(P-209/91; A-14200)
1538.60	n	(P-755; W-4555)	4170.420	n	(P-209/91; A-14200)
		(P-4148; A-11108)	4170.440	n	(P-209/91; A-14200)
1538.70	n	(P-755; W-4555)	4170.500	n	(P-5576)
		(P-4148; A-11108)		n	(P-209/91; A-14200)
1538.80	n	(P-755; W-4555)	4170.550	n	(P-5576)
		(P-4148; A-11108)	4170.600	n	(P-5576)
1590.50	am	(P-4132; A-11052)		n	(P-209/91; A-14200)
1590.60	am	(P-4132; A-11052)	4170.610	n	(P-209/91; A-14200)
1590.70	am	(P-4132; A-11052)	4170.620	n	(P-209/91; A-14200)
1590.80	am	(P-4132; A-11052)	4170.630	n	(P-209/91; A-14200)
1590.90	am	(P-4132; A-11052)	4170.640	n	(P-209/91; A-14200)
1590.100	am	(P-4132; A-11052)	4170.650	n	(P-209/91; A-14200)
1590.110	am	(P-4132; A-11052)	4170.700	n	(P-5576)
1590.120	am	(P-4132; A-11052)		n	(P-209/91; A-14200)
2030.15	am	(P-2302; A-8483)		n	(P-209/91; A-14200)
2030.20	am	(P-2302; A-8483)	4170.710	n	(P-209/91; A-14200)
2520.50	am	(P-2297; A-8479)	4170.720	n	(P-209/91; A-14200)
3010.40	am	(P-14794/91; A-1806)	4170.800	n	(P-5576)
3010.50	am	(P-14794/91; A-1806)	4180.120	am	(P-3718)

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TITLE 20					
210.20	am	(P-17010/91; A-6979)	1235.80	n	(E-17785/91; O-1746)
210.30	am	(P-17010/91; A-6979)	1235.90	n	(E-17785/91; O-1746)
226.605	am	(P-3724; A-12868)	1235.100	n	(P-17566/91; A-7041)
226.640	am	(P-3724; A-12868)			(E-17785/91; O-1746)
405.20	am	(P-5176; A-10449)	1235.110	n	(E-17785/91; O-1746)
405.30	am	(P-5176; A-10449)			(P-17566/91; A-7041)
405.60	am	(P-1941; A-8166)	1235.120	n	(E-17785/91; O-1746)
435.10	am	(P-1941; A-8166)			(P-17566/91; A-7041)
435.12	n	(P-1941; A-8166)	1235.130	n	(E-17785/91; O-1746)
435.15	am	(P-1941; A-8166)			(P-17566/91; A-7041)
435.20	am	(P-1941; A-8166)	1285.10	n	(P-3840; A-12595)
435.30	am	(P-1941; A-8166)	1285.20	n	(P-3840; A-12595)
435.40	am	(P-1941; A-8166)	1285.30	n	(P-3840; A-12595)
435.50	am	(P-1941; A-8166)	1285.40	n	(P-3840; A-12595)
435.60	am	(P-1941; A-8166)	1285.50	n	(P-3840; A-12595)
435.70	n	(P-1941; A-8166)	1285.60	n	(P-3840; A-12595)
440.10	r	(P-16371)	1285.70	n	(P-3840; A-12595)
440.20	r	(P-16371)	1285.80	n	(P-3840; A-12595)
504.802	am	(P-3715; A-10430)	1570.10	n	(P-2732)
504.810	am	(P-3715; A-10430)	1570.20	n	(P-2732)
504.830	am	(P-3715; A-10430)	1570.30	n	(P-2732)
504.905	am	(P-3715; A-10430)	1570.40	n	(P-2732)
504.910	am	(P-3715; A-10430)	1570.50	n	(P-2732)
504.920	am	(P-3715; A-10430)	1570.60	n	(P-2732)
504.930	am	(P-3715; A-10430)	1580.10	n	(P-1948)
525.110	am	(E-3583)	1580.20	n	(P-1948)
525.130	am	(P-5166; A-10439)	1580.30	n	(P-1948)
525.140	am	(P-5166; A-10439)	1580.40	n	(P-1948)
		(E-3583)	1580.50	n	(P-1948)
525.150	am	(P-5166; A-10439)	1720.15	am	(P-15251/91; A-4002)
1205.10	n	(P-4803; A-18093)	1720.35	n	(E-727) (P-7756;
1205.20	n	(P-4803; A-18093)			A-18811)
1205.30	n	(P-4803; A-18093)	1800.10	n	(P-10)
1205.40	n	(P-4803; A-18093)	1800.20	n	(P-10)
1205.50	n	(P-4803; A-18093)	1800.30	n	(P-10)
1235.10	n	(E-17785/91; O-1746)	1800.40	n	(P-10)
		(P-17566/91; A-7041)	1810.100	n	(P-469) (E-732)
1235.20	n	(E-17785/91; O-1746)	1810.110	n	(P-469) (E-732)
		(P-17566/91; A-7041)	1810.200	n	(P-469) (E-732)
1235.30	n	(E-17785/91; O-1746)	1810.210	n	(P-469) (E-732)
		(P-17566/91; A-7041)	1810.220	n	(P-469) (E-732)
1235.40	n	(E-17785/91; O-1746)	1810.230	n	(P-469) (E-732)
		(P-17566/91; A-7041)	1810.240	n	(P-469) (E-732)
1235.50	n	(E-17785/91; O-1746)	1810.250	n	(P-469) (E-732)
		(P-17566/91; A-7041)	1810.300	n	(P-469) (E-732)
1235.60	n	(E-17785/91; O-1746)	1810.400	n	(P-469)
		(P-17566/91; A-7041)	1810.410	n	(P-469) (E-732)
1235.70	n	(E-17785/91; O-1746)	1810.420	n	(P-469) (E-732)
		(P-17566/91; A-7041)			

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1810.430	n	(P-469) (E-732)	202.20	am	(P-7231; RC-16694;
1810.440	n	(P-469) (E-732)	202.30	am	A-18986)
1810.500	n	(P-469) (E-732)			(P-7231; RC-16694;
1810.510	n	(P-469) (E-732)	202.40	am	A-18986)
1810.520	n	(P-469) (E-732)			(P-7231; RC-16694;
1810.530	n	(P-469) (E-732)	202.44	n	A-18986)
1810.540	n	(P-469) (E-732)			(P-7231; RC-16694;
1810.550	n	(P-469) (E-732)	202.46	n	A-18986)
1810.600	n	(P-469) (E-732)			(P-7231; RC-16694;
1810.610	n	(P-469) (E-732)	202.50	am	A-18986)
1810.620	n	(P-469) (E-732)			(P-7231; RC-16694;
1810.700	n	(P-469) (E-732)	202.60	am	A-18986)
1810.710	n	(P-469) (E-732)			(P-7231; RC-16694;
1810.720	n	(P-469) (E-732)	226.605	am	A-18986)
1810.730	n	(P-469) (E-732)	226.640	am	(P-3724)
1810.800	n	(P-469) (E-732)	228.15	n	(P-9253)
1810.900	n	(P-469) (E-732)	228.20	am	(P-9253)
1810.910	n	(P-469) (E-732)	228.25	n	(P-9253)
1810.1000	n	(P-469) (E-732)	228.30	am	(P-9253)
1810.1010	n	(P-469) (E-732)	228.50	am	(P-9253)
1810.1020	n	(P-469) (E-732)	235.10	n	(P-439; A-10181)
1810.1100	n	(P-469) (E-732)			(RQ-12644)
1810.1110	n	(P-469) (E-732)	235.20	n	(P-439; A-10181)
					(RQ-12644)
TITLE 23			235.30	n	(P-439; A-10181)
1.230	am	(P-8684; A-18010)			(RQ-12644)
1.240	am	(P-8684; A-18010)	235.40	n	(P-439; A-10181)
1.420	am	(P-8684; A-18010)			(RQ-12644) (EC-15186)
1.440	am	(P-8684; A-18010)	235.45	n	(P-439; A-10181)
1.720	am	(P-8684; A-18010)			(RQ-12644)
1.730	am	(P-8684; A-18010)	235.50	n	(P-439; A-10181)
1.735	am	(P-8684; A-18010)			(RQ-12644)
1.736	n	(P-8684; A-18010)	235.60	n	(P-439; A-10181)
25.120	am	(P-9234; A-18789)			(RQ-12644)
25.220	am	(P-9234; A-18789)	235.100	n	(P-439; A-10181)
120.10	am	(P-1452; A-10213)			(RQ-12644)
120.30	am	(P-1452; A-10213)	235.110	n	(P-439; A-10181)
120.40	am	(P-1452; A-10213)			(RQ-12644)
120.50	am	(P-1452; A-10213)	235.120	n	(P-439; A-10181)
120.60	am	(P-1452; A-10213)			(RQ-12644)
120.90	am	(P-1452; A-10213)	235.130	n	(P-439; A-10181)
130.10	am	(P-1439; A-9475)			(RQ-12644)
130.20	am	(P-1439; A-9475)	235.135	n	(P-439; A-10181)
130.30	am	(P-1439; A-9475)			(RQ-12644)
130.40	am	(P-1439; A-9475)	235.140	n	(P-439; A-10181)
130.45	n	(P-1439; A-9475)			(RQ-12644)
130.50	am	(P-1439; A-9475)	235.150	n	(P-439; A-10181)
202.10	am	(P-7231; RC-16694;			(RQ-12644)
		A-18986)	260.40	am	(P-5550; A-14196)
			1015.10	n	(P-14852/91; A-4496)

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1015.30	n	(P-14852/91; A-4496)	2720.120	am	(P-4386; A-11224)
1015.40	n	(P-14852/91; A-4496)	2720.130	am	(P-4386; A-11224)
1015.50	n	(P-14852/91; A-4496)	2720.200	am	(P-4386; A-11224)
1015.60	n	(P-14852/91; A-4496)	2720.210	am	(P-4386; A-11224)
1015.70	n	(P-14852/91; A-4496)	2720.Ap.A	am	(P-4386; A-11224)
1015.80	n	(P-14852/91; A-4496)	2730.5	am	(P-4416; A-11254)
1501.101	am	(P-18022/91; A-12445)	2730.10	am	(P-4416; A-11254)
1501.111	r	(P-18022/91; A-12445)	2730.20	am	(P-4416; A-11254)
1501.112	r	(P-18022/91; A-12445)	2733.10	am	(P-4423; A-11261)
1501.114	n	(P-18022/91; A-12445)	2733.20	am	(P-4423; A-11261)
1501.201	r	(P-18022/91; A-12445)			(P-18121/91; A-6880)
1501.201	n	(P-18022/91; A-12445)	2733.30	am	(P-4423; A-11261)
1501.202	r	(P-18022/91; A-12445)			(P-18121/91; A-6880)
1501.202	n	(P-18022/91; A-12445)	2735.10	am	(P-4458; A-11296)
1501.203	r	(P-18022/91; A-12445)	2735.20	am	(P-4458; A-11296)
1501.203	n	(P-18022/91; A-12445)	2735.30	am	(P-4458; A-11296)
1501.204	r	(P-18022/91; A-12445)	2735.40	am	(P-4458; A-11296)
1501.204	n	(P-18022/91; A-12445)	2735.50	am	(P-4458; A-11296)
1501.205	r	(P-18022/91; A-12445)	2735.60	am	(P-4458; A-11296)
1501.301	am	(P-18022/91; A-12445)	2735.70	am	(P-4458; A-11296)
1501.305	am	(P-18022/91; A-12445)	2735.80	am	(P-4458; A-11296)
1501.402	am	(P-18022/91; A-12445)			(E-19237)
1501.509	am	(P-10524; A-17621)	2735.100	am	(P-4458; A-11296)
1501.515	am	(P-10524; A-17621)	2735.Ap.A	am	(P-4458; A-11296)
1501.517	am	(P-18022/91; A-12445)	2760.5	am	(P-4483; A-11321)
1501.518	n	(P-18022/91; A-12445)	2760.10	am	(P-4483; A-11321)
1501.601	am	(P-18022/91; A-12445)	2760.30	am	(P-4483; A-11321)
2700.10	am	(P-4368; A-11206)	2760.40	am	(P-4483; A-11321)
2700.20	am	(P-4368; A-11206)	2761.10	am	(P-4452; A-11290)
2700.30	am	(P-4368; A-11206)	2761.20	am	(P-4452; A-11290)
2700.40	am	(P-4368; A-11206)	2761.30	am	(P-4452; A-11290)
2700.50	am	(P-4368; A-11206)	2762.10	am	(P-4475; A-11313)
2700.55	am	(P-4368; A-11206)	2762.20	am	(P-4475; A-11313)
2700.60	am	(P-4368; A-11206)	2762.30	am	(P-4475; A-11313)
2700.70	am	(P-4368; A-11206)	2762.40	am	(P-4475; A-11313)
2720.5	am	(P-4386; A-11224)	2763.10	n	(P-18129/91; A-7048)
2720.6	am	(P-4386; A-11224)			(E-16326)
2720.10	am	(P-15026/91; A-4060)	2763.20	n	(P-18129/91; A-7048)
		(P-4386; A-11224)			(E-16326)
2720.20	am	(P-4386; A-11224)	2763.30	n	(P-18129/91; A-7048)
2720.25	n	(P-4386; A-11224)			(E-16326)
2720.30	am	(P-4386; A-11224)	2763.40	n	(P-18129/91; A-7048)
2720.40	am	(P-15026/91; A-4060)			(E-16326)
		(P-4386; A-11224)	2763.50	n	(P-18129/91; A-7048)
2720.50	am	(P-4386; A-11224)			(E-16326)
2720.55	am	(P-4386; A-11224)	2770.10	#	(P-4491; A-11329)
2720.60	am	(P-4386; A-11224)	2770.10	n	(P-4491; A-11329)
2720.70	am	(P-4386; A-11224)	2770.20	am	(P-4491; A-11329)
2720.80	am	(P-4386; A-11224)	2770.30	#	(P-4491; A-11329)
2720.90	n	(P-4386; A-11224)	2770.30	am	(P-4491; A-11329)

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2771.20	n	(P-18114/91; A-6873)
2771.30	n	(P-18114/91; A-6873)
2771.40	n	(P-18114/91; A-6873)
2771.4p.A	n	(P-4431; A-11269)
2790.10	am	(P-4431; A-11269)
2790.20	am	(P-4431; A-11269)
2790.30	am	(P-4431; A-11269)
2790.40	am	(P-4431; A-11269)
2790.50	am	(P-4431; A-11269)
2790.60	am	(P-4431; A-11269)
2790.70	am	(P-4431; A-11269)
2790.80	am	(P-4431; A-11269)
2790.90	am	(P-4431; A-11269)
2790.100	am	(P-4431; A-11269)
2790.110	am	(P-4431; A-11269)
2790.120	am	(P-4431; A-11269)
2790.130	am	(P-4431; A-11269)
2790.140	am	(P-4431; A-11269)
2790.4p.A	r	(P-4431; A-11269)
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205.20	am	(P-5556; A-16394)
205.30	am	(P-5556; A-16394)
205.40	am	(P-5556; A-16394)
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700.5	n	(P-17440/91; A-11170)
700.10	n	(P-17440/91; A-11170)
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700.20	n	(P-17440/91; A-11170)
700.25	n	(P-17440/91; A-11170)
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700.35	n	(P-17440/91; A-11170)
700.40	n	(P-17440/91; A-11170)
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276.311	am	(P-13607; A-10230)	320.201	n	(P-12746)
276.401	am	(P-13607; A-10230)	320.202	n	(P-12746)
276.402	am	(P-13607; A-10230)	320.204	n	(P-12746)
276.701	am	(P-13607; A-10230)	320.301	n	(P-12746)
276.702	am	(P-13607; A-10230)	320.302	n	(P-12746)
276.703	am	(P-13607; A-10230)	360.601	am	(P-15202/91; A-5891)
303.203	am	(P-17026/91; W-7511)	360.602	am	(P-15202/91; A-5891)
		(P-7302; A-14684)	365.103	am	(P-3745; A-15073)
307.1101	am	(P-17523/91; A-7377)	365.104	am	(P-3745; A-15073)
307.2400	am	(P-17523/91; A-7377)	365.203	am	(P-3745; A-15073)
307.2401	am	(P-17523/91; A-7377)	365.304	am	(P-3745; A-15073)
307.2402	am	(P-17523/91; A-7377)	365.401	am	(P-3745; A-15073)
307.2403	am	(P-17523/91; A-7377)	365.402	am	(P-3745; A-15073)
307.2404	am	(P-17523/91; A-7377)	365.403	am	(P-3745; A-15073)
307.2405	am	(P-17523/91; A-7377)	365.404	am	(P-3745; A-15073)
307.2406	am	(P-17523/91; A-7377)	365.405	am	(P-3745; A-15073)
307.2407	am	(P-17523/91; A-7377)	365.503	am	(P-3745; A-15073)
307.2490	am	(P-17523/91; A-7377)	365.602	am	(P-3745; A-15073)
307.3100	am	(P-17523/91; A-7377)	365.603	am	(P-3745; A-15073)
307.3109	am	(P-17523/91; A-7377)	365.604	am	(P-3745; A-15073)
307.3115	am	(P-17523/91; A-7377)	365.803	n	(P-3745; A-15073)
307.3119	am	(P-17523/91; A-7377)	365.903	am	(P-3745; A-15073)
307.3120	am	(P-17523/91; A-7377)	365.1101	am	(P-3745; A-15073)
307.3124	am	(P-17523/91; A-7377)	601.105	am	(P-9829/91; O-17792/91)
307.3129	am	(P-17523/91; A-7377)			R-1713; A-1585)
309.103	am	(P-17471/91; A-7339)	607.104	r	(P-16480)
310.103	am	(P-17481/91; A-7346)	608.101	n	(P-16439)
310.105	am	(P-17481/91; A-7346)	608.102	n	(P-16439)
310.107	am	(P-17481/91; A-7346)	608.103	n	(P-16439)
310.110	am	(P-17481/91; A-7346)	608.201	n	(P-16439)
310.201	am	(P-17481/91; A-7346)	608.202	n	(P-16439)
310.202	am	(P-17481/91; A-7346)	608.301	n	(P-16439)
310.210	am	(P-17481/91; A-7346)	608.302	n	(P-16439)
310.220	am	(P-17481/91; A-7346)	608.303	n	(P-16439)
310.221	am	(P-17481/91; A-7346)	608.304	n	(P-16439)
310.222	am	(P-17481/91; A-7346)	608.305	n	(P-16439)
310.230	am	(P-17481/91; A-7346)	608.306	n	(P-16439)
310.232	am	(P-17481/91; A-7346)	608.401	n	(P-16439)
310.233	am	(P-17481/91; A-7346)	608.402	n	(P-16439)
310.330	am	(P-17481/91; A-7346)	608.403	n	(P-16439)
310.510	am	(P-17481/91; A-7346)	608.404	n	(P-16439)
310.611	am	(P-17481/91; A-7346)	608.501	n	(P-16439)
310.613	am	(P-17481/91; A-7346)	608.502	n	(P-16439)
310.633	am	(P-17481/91; A-7346)	608.503	n	(P-16439)
310.635	am	(P-17481/91; A-7346)	608.504	n	(P-16439)
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611.112 am	(P-5582; A-19010)	611.647 #	(P-5582; A-19010)
611.113 am	(P-5582; A-19010)	611.648 #	(P-5582; A-19010)
611.121 am	(P-5582; A-19010)	611.648 r	(P-5582; A-19010)
611.220 am	(P-5582; A-19010)	611.650 r	(P-5582; A-19010)
611.232 am	(P-5582; A-19010)	611.657 r	(P-5582; A-19010)
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611.250 am	(P-5582; A-19010)	611.851 am	(P-5582; A-19010)
611.295 n	(P-5582; A-19010)	611.852 am	(P-5582; A-19010)
611.296 n	(P-5582; A-19010)	611.855 am	(P-5582; A-19010)
611.300 am	(P-5582; A-19010)	611.Ap.A	(P-5582; A-19010)
611.301 n	(P-5582; A-19010)	611.Ap.D	(P-5582; A-19010)
611.310 am	(P-5582; A-19010)	611.Tb.B	(P-5582; A-19010)
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611.320 am	(P-5582; A-19010)	611.Tb.D	(P-5582; A-19010)
611.510 n	(P-5582; A-19010)	615.101 n	(P-10303/91; O-17791/91; R-1702; A-1538)
611.522 am	(P-5582; A-19010)	615.102 n	(P-10303/91; O-17791/91; R-1702; A-1538)
611.523 am	(P-5582; A-19010)	615.103 n	(P-10303/91; O-17791/91; R-1702; A-1538)
611.526 am	(P-5582; A-19010)	615.104 n	(P-10303/91; O-17791/91; R-1702; A-1538)
611.560 am	(P-5582; A-19010)	615.105 n	(P-10303/91; O-17791/91; R-1702; A-1538)
611.591 #	(P-5582; A-19010)	615.201 n	(P-10303/91; O-17791/91; R-1702; A-1538)
611.591 am	(P-5582; A-19010)	615.202 n	(P-10303/91; O-17791/91; R-1702; A-1538)
611.592 #	(P-5582; A-19010)	615.203 n	(P-10303/91; O-17791/91; R-1702; A-1538)
611.592 am	(P-5582; A-19010)	615.204 n	(P-10303/91; O-17791/91; R-1702; A-1538)
611.600 n	(P-5582; A-19010)	615.205 n	(P-10303/91; O-17791/91; R-1702; A-1538)
611.601 #	(P-5582; A-19010)	615.206 n	(P-10303/91; O-17791/91; R-1702; A-1538)
611.601 n	(P-5582; A-19010)	611.641 am	(P-5582; A-19010)
611.602 #	(P-5582; A-19010)		
611.602 n	(P-5582; A-19010)		
611.603 #	(P-5582; A-19010)		
611.603 n	(P-5582; A-19010)		
611.604 n	(P-5582; A-19010)		
611.605 n	(P-5582; A-19010)		
611.606 r	(P-5582; A-19010)		
611.606 n	(P-5582; A-19010)		
611.607 r	(P-5582; A-19010)		
611.607 n	(P-5582; A-19010)		
611.608 n	(P-5582; A-19010)		
611.609 n	(P-5582; A-19010)		
611.610 #	(P-5582; A-19010)		
611.610 n	(P-5582; A-19010)		
611.611 n	(P-5582; A-19010)		
611.612 #	(P-5582; A-19010)		
611.612 am	(P-5582; A-19010)		
611.630 #	(P-5582; A-19010)		
611.630 am	(P-5582; A-19010)		
611.631 n	(P-5582; A-19010)		
611.640 n	(P-5582; A-19010)		
611.641 am	(P-5582; A-19010)		

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615.601	n	(P-10303/91; O-17791/91; R-1702; A-1538)	615.724	n	(P-10303/91; O-17791/91; R-1702; A-1538)
615.602	n	(P-10303/91; O-17791/91; R-1702; A-1538)	616.101	n	(P-9836/91; O-17793/91; R-1723; A-1592)
615.603	n	(P-10303/91; O-17791/91; R-1702; A-1538)	616.102	n	(P-9836/91; O-17793/91; R-1723; A-1592)
615.604	n	(P-10303/91; O-17791/91; R-1702; A-1538)	616.104	n	(P-9836/91; O-17793/91; R-1723; A-1592)
615.621	n	(P-10303/91; O-17791/91; R-1702; A-1538)	616.105	n	(P-9836/91; O-17793/91; R-1723; A-1592)
615.622	n	(P-10303/91; O-17791/91; R-1702; A-1538)	616.201	n	(P-9836/91; O-17793/91; R-1723; A-1592)
615.623	n	(P-10303/91; O-17791/91; R-1702; A-1538)	616.202	n	(P-9836/91; O-17793/91; R-1723; A-1592)
615.624	n	(P-10303/91; O-17791/91; R-1702; A-1538)	616.203	n	(P-9836/91; O-17793/91; R-1723; A-1592)
615.701	n	(P-10303/91; O-17791/91; R-1702; A-1538)	616.204	n	(P-9836/91; O-17793/91; R-1723; A-1592)
615.702	n	(P-10303/91; O-17791/91; R-1702; A-1538)	616.205	n	(P-9836/91; O-17793/91; R-1723; A-1592)
615.703	n	(P-10303/91; O-17791/91; R-1702; A-1538)	616.206	n	(P-9836/91; O-17793/91; R-1723; A-1592)
615.704	n	(P-10303/91; O-17791/91; R-1702; A-1538)	616.207	n	(P-9836/91; O-17793/91; R-1723; A-1592)
615.705	n	(P-10303/91; O-17791/91; R-1702; A-1538)	616.208	n	(P-9836/91; O-17793/91; R-1723; A-1592)
615.721	n	(P-10303/91; O-17791/91; R-1702; A-1538)	616.209	n	(P-9836/91; O-17793/91; R-1723; A-1592)
615.722	n	(P-10303/91; O-17791/91; R-1702; A-1538)	616.210	n	(P-9836/91; O-17793/91; R-1723; A-1592)

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616.301	n	(P-9836/91; O-17793/91; R-1723; A-1592)	616.444	n	(P-9836/91; O-17793/91; R-1723; A-1592)
616.302	n	(P-9836/91; O-17793/91; R-1723; A-1592)	616.445	n	(P-9836/91; O-17793/91; R-1723; A-1592)
616.303	n	(P-9836/91; O-17793/91; R-1723; A-1592)	616.446	n	(P-9836/91; O-17793/91; R-1723; A-1592)
616.304	n	(P-9836/91; O-17793/91; R-1723; A-1592)	616.447	n	(P-9836/91; O-17793/91; R-1723; A-1592)
616.305	n	(P-9836/91; O-17793/91; R-1723; A-1592)	616.462	n	(P-9836/91; O-17793/91; R-1723; A-1592)
616.306	n	(P-9836/91; O-17793/91; R-1723; A-1592)	616.463	n	(P-9836/91; O-17793/91; R-1723; A-1592)
616.307	n	(P-9836/91; O-17793/91; R-1723; A-1592)	616.464	n	(P-9836/91; O-17793/91; R-1723; A-1592)
616.401	n	(P-9836/91; O-17793/91; R-1723; A-1592)	616.501	n	(P-9836/91; O-17793/91; R-1723; A-1592)
616.402	n	(P-9836/91; O-17793/91; R-1723; A-1592)	616.502	n	(P-9836/91; O-17793/91; R-1723; A-1592)
616.421	n	(P-9836/91; O-17793/91; R-1723; A-1592)	616.601	n	(P-9836/91; O-17793/91; R-1723; A-1592)
616.422	n	(P-9836/91; O-17793/91; R-1723; A-1592)	616.602	n	(P-9836/91; O-17793/91; R-1723; A-1592)
616.423	n	(P-9836/91; O-17793/91; R-1723; A-1592)	616.603	n	(P-9836/91; O-17793/91; R-1723; A-1592)
616.424	n	(P-9836/91; O-17793/91; R-1723; A-1592)	616.604	n	(P-9836/91; O-17793/91; R-1723; A-1592)
616.425	n	(P-9836/91; O-17793/91; R-1723; A-1592)	616.605	n	(P-9836/91; O-17793/91; R-1723; A-1592)
616.441	n	(P-9836/91; O-17793/91; R-1723; A-1592)	616.621	n	(P-9836/91; O-17793/91; R-1723; A-1592)
616.442	n	(P-9836/91; O-17793/91; R-1723; A-1592)	616.622	n	(P-9836/91; O-17793/91; R-1723; A-1592)

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616.623	n	(P-9836/91; O-17793/91; R-1723; A-1592)	703.204 703.207 703.208 703.211 703.232 703.280 703.283	am am n am n am am	(P-16930) (P-16930) (P-1058; A-9767) (P-1058; A-9767) (P-1058; A-9767) (P-1058; A-8767) (P-9767)
616.624	n	(P-9836/91; O-17793/91; R-1723; A-1592)			
616.625	n	(P-9836/91; O-17793/91; R-1723; A-1592)	703.283 703.Ap.A	am am	(P-1058; A-8767) (P-9767)
616.701	n	(P-9836/91; O-17793/91; R-1723; A-1592)	720.110	am	(P-16930)
616.702	n	(P-9836/91; O-17793/91; R-1723; A-1592)	720.111	am	(P-16776)
616.703	n	(P-9836/91; O-17793/91; R-1723; A-1592)	721.102 721.103	am am	(P-9301; A-9489) (P-9301; A-17636)
616.704	n	(P-9836/91; O-17793/91; R-1723; A-1592)	721.104	am	(P-820; A-9519) (P-16801)
616.705	n	(P-9836/91; O-17793/91; R-1723; A-1592)	721.106	am	(P-820; A-9519) (P-16801)
616.721	n	(P-9836/91; O-17793/91; R-1723; A-1592)	721.111 721.120 721.122 721.131	am am am am	(P-16801) (P-820; A-9519) (P-9330; A-17666) (P-820; A-9519)
616.722	n	(P-9836/91; O-17793/91; R-1723; A-1592)	721.132 721.Ap.1 721.Tb.A 721.Tb.B 721.Tb.D	am am am am n	(P-15910/91; A-26000) (P-820; A-9519) (P-9288/91; A-2155) (P-9288/91; A-2155) (P-820; A-9519)
616.723	n	(P-9836/91; O-17793/91; R-1723; A-1592)	722.110 722.134 722.153 722.156 724.113	am am am am am	(P-1112; A-9822) (P-1112; A-9822) (P-9358; A-17696) (P-9358; A-17696) (P-16970)
616.724	n	(P-9836/91; O-17793/91; R-1723; A-1592)	724.115 724.119 724.173	am n am	(P-16970)
616.725	n	(P-9836/91; O-17793/91; R-1723; A-1592)	724.212 724.247 724.321 724.322 724.323 724.326	am am am n n am	(P-16970) (P-16970) (P-16970) (P-16970) (P-16970) (P-16970)
617.101	n	(P-9882/91; R-1734; A-1639)	724.328 724.351	am am	(P-1058; A-9767)
617.102	n	(P-9882/91; O-17794/91; R-1734; A-1639)	724.352 724.353	am n	(P-1058; A-9767) (P-16970)
620.450	am	(P-7286; A-14667)			
702.181	am	(P-16924)			
703.150	am	(P-1058; A-9767)			
703.155	am	(P-1058; A-9767)			
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724.401	am	(P-16970)	n	(P-1148; A-9858)
724.402	n	(P-16970)	n	(P-1148; A-9858)
724.403	am	(P-16970)	n	(P-1148; A-9858)
724.404	n	(P-16970)	n	(P-1148; A-9858)
724.410	am	(P-16970)	n	(P-1148; A-9858)
724.440	am	(P-1123; A-9833)	n	(P-1148; A-9858)
724.673	am	(P-16970)	n	(P-1148; A-9858)
724.930	am	(P-1123; A-9833)	n	(P-1148; A-9858)
724.935	am	(P-1123; A-9833)	n	(P-1148; A-9858)
725.113	am	(P-875; A-9578)	n	(P-1148; A-9858)
725.115	am	(P-16831)	n	(P-1148; A-9858)
724.119	n	(P-16831)	n	(P-1148; A-9858)
725.173	am	(P-875; A-9578)	n	(P-1148; A-9858)
725.191	am	(P-16831)	n	(P-1148; A-9858)
725.212	am	(P-9336; A-17672)	n	(P-1148; A-9858)
725.213	am	(P-875; A-9578)	n	(P-1148; A-9858)
725.247	am	(P-9336; A-17672)	n	(P-1148; A-9858)
725.321	am	(P-16831)	n	(P-1148; A-9858)
725.322	am	(P-16831)	n	(P-1148; A-9858)
725.323	am	(P-16831)	n	(P-1148; A-9858)
725.324	n	(P-16831)	n	(P-1148; A-9858)
725.326	am	(P-16831)	am	(P-16878)
725.328	am	(P-16831)	am	(P-916; A-9619)
725.354	am	(P-16831)	am	(P-916; A-9619)
725.355	n	(P-16831)	n	(P-916; A-9619)
725.359	n	(P-16831)	n	(P-916; A-9619)
725.360	n	(P-16831)	n	(P-916; A-9619)
725.401	am	(P-16831)	n	(P-916; A-9619)
725.402	am	(P-16831)	am	(P-916; A-9619)
725.403	n	(P-16831)	am	(P-916; A-9619)
725.404	n	(P-16831)	am	(P-16878)
725.410	am	(P-16831)	am	(P-916; A-9619)
725.440	am	(P-875; A-9578)	am	(P-916; A-9619)
725.470	am	(P-875; A-9578)	am	(P-16878)
725.543	am	(P-16831)	am	(P-916; A-9619)
725.935	am	(P-875; A-9578)	am	(P-916; A-9619)
725.952	am	(P-875; A-9578)	am	(P-916; A-9619)
726.130	r	(P-1148; A-9858)	am	(P-916; A-9619)
726.131	r	(P-1148; A-9858)	am	(P-916; A-9619)
726.132	r	(P-1148; A-9858)	am	(P-916; A-9619)
726.133	r	(P-1148; A-9858)	n	(P-916; A-9619)
726.134	r	(P-1148; A-9858)	am	(P-916; A-9619)
726.135	r	(P-1148; A-9858)	am	(P-916; A-9619)
726.140	am	(P-1148; A-9858)	am	(P-916; A-9619)
726.200	n	(P-17028)	am	(P-16878)
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200.221	(P-7250; A-12879)	450.145	n	(P-17570)	
200.225	(P-7250; A-12879)	450.160	n	(P-17570)	
200.225	(P-7250; A-12879)	450.165	n	(P-17570)	
200.230	(P-7250; A-12879)	450.175	am	(P-17570)	
200.235	(P-7250; A-12879)	450.210	am	(P-17570)	
200.240	(P-7250; A-12879)	450.220	am	(P-17570)	
200.245	(P-7250; A-12879)	450.250	am	(P-12406) (E-12634)	
200.250	(P-7250; A-12879)	450.255	n	(P-12406) (E-12634)	
200.270	(P-7250; A-12879)	450.260	am	(P-17570)	
200.280	(P-7250; A-12879)	450.290	am	(P-12406) (E-12634)	
200.290	(P-7250; A-12879)	450.410	am	(P-17570)	
200.310	(P-7250; A-12879)	450.425	n	(P-17570)	
200.320	(P-7250; A-12879)	450.440	am	(P-2763; A-10463)	
200.400	(P-7250; A-12879)	450.940	am	(E-2915)	
200.402	(P-7250; A-12879)	450.1010	am	(P-2763; A-10463)	
200.404	(P-7250; A-12879)	450.1020	am	(E-2915)	
200.406	(P-7250; A-12879)	450.1250	am	(P-17570)	
200.408	(P-7250; A-12879)	450.1335	am	(E-2915)	
200.412	(P-7250; A-12879)	450.1340	am	(P-2763; A-10463)	
200.416	(P-7250; A-12879)	1075.120	am	(E-2915)	
200.420	(P-7250; A-12879)			(P-14406/91; A-4891)	
200.422	(P-7250; A-12879)				
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200.450	(P-7250; A-12879)				
200.452	(P-7250; A-12879)				
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307.20	(P-5391; A-12416)				
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120.105	(P-19291)	120.1240	am	(P-19291)	
120.200	(P-19291)	120.1250	am	(P-19291)	
120.205	(P-19291)	120.1260	am	(P-19291)	
120.300	(P-19291)	120.1270	am	(P-19291)	
120.400	(P-19291)	120.1275	am	(P-19291)	
120.500	(P-19291)	120.1280	am	(P-19291)	
120.600	(P-19291)				
120.700	(P-19291)				
120.900	(P-19291)				
120.1000	(P-19291)				
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120.1330	(P-19291)				
120.1335	(P-19291)				
120.1340	(P-19291)				
120.1350	(P-19291)				
120.1355	(P-19291)				
120.1360	(P-19291)				
120.1365	(P-19291)				
120.1370	(P-19291)				
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120.1490	(P-19291)				
120.1495	(P-19291)				
120.1500	(P-19291)				
120.1505	(P-19291)				
120.1510	(P-19291)				
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120.1560	(P-19291)				
120.1565	(P-19291)				
120.1570	(P-19291)				
120.1575	(P-19291)				
120.1580	(P-19291)				
120.1585	(P-19291)				
120.1590	(P-19291)				
120.1595	(P-19291)				
120.1600	(P-19291)				
120.1605	(P-19291)				
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120.1665	(P-19291)				
120.1670	(P-19291)				
120.1675	(P-19291)				
120.1680	(P-19291)				
120.1685	(P-19291)				
120.1690	(P-19291)				
120.1695	(P-19291)				
120.1700	(P-19291)				
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120.1775	(P-19291)				
120.1780	(P-19291)				
120.1785	(P-19291)				
120.1790	(P-19291)				
120.1795	(P-19291)				
120.1800	(P-19291)				
120.1805	(P-19291)				
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120.1870	(P-19291)				
120.1875	(P-19291)				
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120.1890	(P-19291)				
120.1895	(P-19291)				
120.1900	(P-19291)				
120.1905	(P-19291)				
120.1910	(P-19291)				
120.1915	(P-19291)				
120.1920	(P-19291)				
120.1925	(P-19291)				
120.1930	(P-19291)				
120.1935	(P-19291)				
120.1940	(P-19291)				
120.1945	(P-19291)				
120.1950	(P-19291)				
120.1955	(P-19291)				
120.1960	(P-19291)				
120.1965	(P-19291)				
120.1970	(P-19291)				
120.1975	(P-19291)				
120.1980	(P-19291)				
120.1985	(P-19291)				
120.1990	(P-19291)				
120.1995	(P-19291)				
120.2000	(P-19291)				
120.2005	(P-19291)				
120.2010	(P-19291)				
120.2015	(P-19291)				
120.2020	(P-19291)				
120.2025	(P-19291)				
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120.2035	(P-19291)				
120.2040	(P-19291)				
120.2045	(P-19291)				
120.2050	(P-19291)				
120.2055	(P-19291)				
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120.2065	(P-19291)				
120.2070	(P-19291)				
120.2075	(P-19291)				
120.2080	(P-19291)				
120.2085	(P-19291)				
120.2090	(P-19291)				
120.2095	(P-19291)				
120.2100	(P-19291)				
120.2105	(P-19291)				
120.2110	(P-19291)				
120.2115	(P-19291)				
120.2120	(P-19291)				
120.2125	(P-19291)				
120.2130	(P-19291)				
120.2135	(P-19291)				
120.2140	(P-19291)				
120.2145	(P-19291)				
120.2150	(P-19291)				
120.2155	(P-19291)				
120.2160	(P-19291)				
120.2165	(P-19291)				
120.2170	(P-19291)				
120.2175	(P-19291)				
120.2180	(P-19291)				
120.2185	(P-19291)				
120.2190	(P-19291)				
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TITLE 41 (CONT'D)	950.120	r	(P-3695; A-12424)	TITLE 47 (CONT'D)	125.140	n	(P-18879)
170.860	950.130	r	(P-3695; A-12424)	.II.A	140.10	r	(P-13241/91; A-2120)
170.870	950.140	r	(P-3695; A-12424)	.II.B	140.20	r	(P-13241/91; A-2120)
170.880	950.150	r	(P-3695; A-12424)	.II.C	140.30	r	(P-13241/91; A-2120)
170.890	950.160	r	(P-3695; A-12424)	.II.D	140.40	r	(P-13241/91; A-2120)
170.900	950.170	r	(P-3695; A-12424)	.II.E	140.50	r	(P-13241/91; A-2120)
170.910	950.180	r	(P-3695; A-12424)	.II.F	140.60	r	(P-13241/91; A-2120)
215.1	950.210	r	(P-3695; A-12424)	100.Ap.D	310.101	am	(P-1961; A-10248)
215.2	950.220	r	(P-3695; A-12424)	100.Ap.E	310.102	am	(P-1961; A-10248)
215.20	950.230	r	(P-3695; A-12424)	100.Ap.F	310.103	am	(P-1961; A-10248)
215.30	950.240	r	(P-3695; A-12424)	110.210	310.106	am	(P-1961; A-10248)
215.40	950.250	r	(P-3695; A-12424)	110.220	310.107	am	(P-1961; A-10248)
215.50	950.260	r	(P-3695; A-12424)	110.230	310.109	am	(P-1961; A-10248)
215.60	950.270	r	(P-3695; A-12424)	110.240	310.110	am	(P-1961; A-10248)
215.70	950.280	r	(P-3695; A-12424)	110.250	310.111	am	(P-1961; A-10248)
270.10	950.290	r	(P-3695; A-12424)	110.260	310.113	am	(P-1961; A-10248)
270.20	950.300	r	(P-3695; A-12424)	110.270	310.114	am	(P-1961; A-10248)
270.30	5000.900	n	(P-11378)	110.280	310.201	am	(P-1961; A-10248)
270.40	5000.910	n	(P-11378)	110.290	310.202	am	(P-1961; A-10248)
270.50	5000.920	n	(P-11378)	110.300	310.203	am	(P-1961; A-10248)
270.60	5000.930	n	(P-11378)	110.310	310.204	am	(P-1961; A-10248)
270.70	5000.940	n	(P-11378)	110.320	310.205	am	(P-1961; A-10248)
270.80	5000.950	n	(P-11378)	110.330	310.206	am	(P-1961; A-10248)
280.10	5000.960	n	(P-11378)	110.340	310.301	am	(P-1961; A-10248)
280.20	5000.970	n	(P-11378)	110.350	310.302	am	(P-1961; A-10248)
280.30	5010.240	am	(P-10127; A-17595)	110.360	310.303	am	(P-1961; A-10248)
280.40	5010.710	am	(P-10127; A-17595)	120.30	310.304	am	(P-1961; A-10248)
280.50	5010.780	am	(P-10127; A-17595)	120.35	310.305	am	(P-1961; A-10248)
280.60	5010.1160	am	(P-10127; A-17595)	120.80	310.306	am	(P-1961; A-10248)
280.65	5010.1300	am	(P-10127; A-17595)	120.90	310.307	am	(P-1961; A-10248)
280.70	5010.1410	n	(P-10127; A-17595)	120.110	310.309	am	(P-1961; A-10248)
280.75	5030.130	am	(P-18013/91; A-4826)	120.115	310.401	am	(P-1961; A-10248)
280.80				125.10	310.402	am	(P-1961; A-10248)
300.10				125.20	310.403	am	(P-1961; A-10248)
300.15				125.30	310.404	am	(P-1961; A-10248)
300.20				125.40	310.405	am	(P-1961; A-10248)
300.25				125.50	310.602	am	(P-1961; A-10248)
300.30				125.60	310.603	am	(P-1961; A-10248)
300.35				125.70	310.604	am	(P-1961; A-10248)
300.40				125.80	310.701	am	(P-1961; A-10248)
300.50				125.90	310.702	am	(P-1961; A-10248)
				125.100	310.703	am	(P-1961; A-10248)
				125.110	310.801	am	(P-1961; A-10248)
				125.120	310.802	am	(P-1961; A-10248)
				125.130	310.803	am	(P-1961; A-10248)
					310.804	am	(P-1961; A-10248)
					310.805	am	(P-1961; A-10248)
					310.806	am	(P-1961; A-10248)
					310.901	am	(P-1961; A-10248)
					310.902	am	(P-1961; A-10248)
					310.913	am	(P-1961; A-10248)

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TITLE 41 (CONT'D)				TITLE 47				TITLE 48			
170.860	n	(P-10875/91; A-4845)	950.120	r	(P-3695; A-12424)	170.860	n	(P-10875/91; A-4845)	950.130	r	(P-3695; A-12424)
170.870	n	(P-10875/91; A-4845)	950.140	r	(P-3695; A-12424)	170.870	n	(P-10875/91; A-4845)	950.150	r	(P-3695; A-12424)
170.880	n	(P-10875/91; A-4845)	950.160	r	(P-3695; A-12424)	170.880	n	(P-10875/91; A-4845)	950.170	r	(P-3695; A-12424)
170.890	n	(P-10875/91; A-4845)	950.180	r	(P-3695; A-12424)	170.890	n	(P-10875/91; A-4845)	950.210	r	(P-3695; A-12424)
170.900	n	(P-10875/91; A-4845)	950.220	r	(P-3695; A-12424)	170.900	n	(P-10875/91; A-4845)	950.230	r	(P-3695; A-12424)
170.910	n	(P-10875/91; A-4845)	950.240	r	(P-3695; A-12424)	170.910	n	(P-10875/91; A-4845)	950.250	r	(P-3695; A-12424)
215.1	n	(P-1954)	950.260	r	(P-3695; A-12424)	215.1	n	(P-1954)	950.270	r	(P-3695; A-12424)
215.2	n	(P-1954)	950.280	r	(P-3695; A-12424)	215.2	n	(P-1954)	950.290	r	(P-3695; A-12424)
215.20	n	(P-1954)	950.300	r	(P-3695; A-12424)	215.20	n	(P-1954)	950.310	r	(P-3695; A-12424)
215.30	n	(P-1954)	5000.900	n	(P-11378)	215.30	n	(P-1954)	5000.910	n	(P-11378)
215.40	n	(P-1954)	5000.920	n	(P-11378)	215.40	n	(P-1954)	5000.930	n	(P-11378)
215.50	n	(P-1954)	5000.940	n	(P-11378)	215.50	n	(P-1954)	5000.950	n	(P-11378)
215.60	n	(P-1954)	5000.960	n	(P-11378)	215.60	n	(P-1954)	5000.970	n	(P-11378)
215.70	n	(P-1954)	5000.980	r	(P-3695; A-12424)	215.70	n	(P-1954)	5000.990	r	(P-3695; A-12424)
270.10	n	(P-14845/91; A-6842)	950.290	r	(P-3695; A-12424)	270.10	n	(P-14845/91; A-6842)	950.300	r	(P-3695; A-12424)
270.20	n	(P-14845/91; A-6842)	5000.900	n	(P-11378)	270.20	n	(P-14845/91; A-6842)	5000.910	n	(P-11378)
270.30	n	(P-14845/91; A-6842)	5000.920	n	(P-11378)	270.30	n	(P-14845/91; A-6842)	5000.930	n	(P-11378)
270.40	n	(P-14845/91; A-6842)	5000.940	n	(P-11378)	270.40	n	(P-14845/91; A-6842)	5000.950	n	(P-11378)
270.50	n	(P-14845/91; A-6842)	5000.960	n	(P-11378)	270.50	n	(P-14845/91; A-6842)	5000.970	n	(P-11378)
270.60	n	(P-14845/91; A-6842)	5000.980	r	(P-3695; A-12424)	270.60	n	(P-14845/91; A-6842)	5000.990	r	(P-3695; A-12424)
270.70	n	(P-14845/91; A-6842)	5000.900	n	(P-11378)	270.70	n	(P-14845/91; A-6842)	5000.910	n	(P-11378)
270.80	n	(P-14845/91; A-6842)	5000.920	n	(P-11378)	270.80	n	(P-14845/91; A-6842)	5000.930	n	(P-11378)
280.10	n	(P-15665)	5000.940	n	(P-11378)	280.10	n	(P-15665)	5000.950	n	(P-11378)
280.20	n	(P-15665)	5000.960	n	(P-11378)	280.20	n	(P-15665)	5000.970	n	(P-11378)
280.30	n	(P-15665)	5000.980	r	(P-3695; A-12424)	280.30	n	(P-15665)	5000.990	r	(P-3695; A-12424)
280.40	n	(P-15665)	5000.900	n	(P-11378)	280.40	n	(P-15665)	5000.910	n	(P-11378)
280.50	n	(P-15665)	5000.920	n	(P-11378)	280.50	n	(P-15665)	5000.930	n	(P-11378)
280.60	n	(P-15665)	5000.940	n	(P-11378)	280.60	n	(P-15665)	5000.950	n	(P-11378)
280.65	n	(P-15665)	5000.960	n	(P-11378)	280.65	n	(P-15665)	5000.970	n	(P-11378)
280.70	n	(P-15665)	5000.980	r	(P-3695; A-12424)	280.70	n	(P-15665)	5000.990	r	(P-3695; A-12424)
280.75	n	(P-15665)	5000.900	n	(P-11378)	280.75	n	(P-15665)	5000.910	n	(P-11378)
280.80	n	(P-15665)	5000.920	n	(P-11378)	280.80	n	(P-15665)	5000.930	n	(P-11378)
300.10	n	(P-10560)	5000.940	n	(P-11378)	300.10	n	(P-10560)	5000.950	n	(P-11378)
300.15	n	(P-10560)	5000.960	n	(P-11378)	300.15	n	(P-10560)	5000.970	n	(P-11378)
300.20	n	(P-10560)	5000.980	r	(P-3695; A-12424)	300.20	n	(P-10560)	5000.990	r	(P-3695; A-12424)
300.25	n	(P-10560)	5000.900	n	(P-11378)	300.25	n	(P-10560)	5000.910	n	(P-11378)
300.30	n	(P-10560)	5000.920	n	(P-11378)	300.30	n	(P-10560)	5000.930	n	(P-11378)
300.35	n	(P-10560)	5000.940	n	(P-11378)	300.35	n	(P-10560)	5000.950	n	(P-11378)
300.40	n	(P-10560)	5000.960	n	(P-11378)	300.40	n	(P-10560)	5000.970	n	(P-11378)
300.50	n	(P-10560)	5000.980	r	(P-3695; A-12424)	300.50	n	(P-10560)	5000.990	r	(P-3695; A-12424)
TITLE 44				TITLE 47				TITLE 48			
1.100	am	(P-12808) (E-13118)	100.10	am	(P-14337/91; A-3940)	1.100	am	(P-12808) (E-13118)	100.11	am	(P-14337/91; A-3940)
1.350	am	(P-12808) (E-13118)	100.20	am	(P-14337/91; A-3940)	1.350	am	(P-12808) (E-13118)	100.12	am	(P-14337/91; A-3940)
1.515	n	(P-12808) (E-13118)	100.30	am	(P-14337/91; A-3940)	1.515	n	(P-12808) (E-13118)	100.13	am	(P-14337/91; A-3940)
1.530	am	(P-12808) (E-13118)	100.40	am	(P-14337/91; A-3940)	1.530	am	(P-12808) (E-13118)	100.14	am	(P-14337/91; A-3940)
1.610	am	(P-12808) (E-13118)	100.50	am	(P-14337/91; A-3940)	1.610	am	(P-12808) (E-13118)	100.15	am	(P-14337/91; A-3940)
1.620	am	(P-12808) (E-13118)	100.85	am	(P-14337/91; A-3940)	1.620	am	(P-12808) (E-13118)	100.16	am	(P-14337/91; A-3940)
1.630	am	(P-12808) (E-13118)	100.103	am	(P-14337/91; A-3940)	1.630	am	(P-12808) (E-13118)	100.17	am	(P-14337/91; A-3940)
950.110	r	(P-3695; A-12424)	100.105	am	(P-14337/91; A-3940)	950.110	r	(P-3695; A-12424)	100.18	am	(P-14337/91; A-3940)
			100.106	r	(P-14337/91; A-3940)				100.19	am	(P-14337/91; A-3940)
			100.110	am	(P-14337/91; A-3940)				100.20	am	(P-14337/91; A-3940)
			100.111	r	(P-14337/91; A-3940)				100.21	am	(P-14337/91; A-3940)
			100.113	am	(P-14337/91; A-3940)				100.22	am	(P-14337/91; A-3940)
			100.115	am	(P-14337/91; A-3940)				100.23	am	(P-14337/91; A-3940)
			100.120	am	(P-14337/91; A-3940)				100.24	am	(P-14337/91; A-3940)
			100.Ap.A	am	(P-14337/91; A-3940)				100.25	am	(P-14337/91; A-3940)

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350.213	n	(E-5369; O-8254;	n	(P-11713) (E-11884)
		M-9137) (C-12794)	n	(P-11713) (E-11884)
370.101	n	(P-11713) (E-11884)	n	(P-11713) (E-11884)
370.102	n	(P-11713) (E-11884)	n	(P-11713) (E-11884)
370.103	n	(P-11713) (E-11884)	n	(P-11713) (E-11884)
370.104	n	(P-11713) (E-11884)	n	(P-11713) (E-11884)
370.105	n	(P-11713) (E-11884)	n	(P-11713) (E-11884)
370.106	n	(P-11713) (E-11884)	n	(P-11713) (E-11884)
370.107	n	(P-11713) (E-11884)	n	(P-11713) (E-11884)
370.108	n	(P-11713) (E-11884)	n	(P-11713) (E-11884)
370.109	n	(P-11713) (E-11884)	n	(P-11713) (E-11884)
370.110	n	(P-11713) (E-11884)	n	(P-11713) (E-11884)
370.111	n	(P-11713) (E-11884)	n	(P-11713) (E-11884)
370.112	n	(P-11713) (E-11884)	n	(P-11713) (E-11884)
370.113	n	(P-11713) (E-11884)	n	(P-11713) (E-11884)
370.201	n	(P-11713) (E-11884)	n	(P-11713) (E-11884)
370.202	n	(P-11713) (E-11884)	n	(P-11713) (E-11884)
370.203	n	(P-11713) (E-11884)	am	(P-11007; A-19206)
370.204	n	(P-11713) (E-11884)		(E-11345)
370.205	n	(P-11713) (E-11884)	n	(P-11911/91; A-13514)
370.206	n	(P-11713) (E-11884)	n	(P-11911/91; A-13514)
370.207	n	(P-11713) (E-11884)	n	(P-11911/91; A-13514)
370.208	n	(P-11713) (E-11884)	n	(P-11911/91; A-13514)
370.209	n	(P-11713) (E-11884)	n	(P-11911/91; A-13514)
370.210	n	(P-11713) (E-11884)	n	(P-11911/91; A-13514)
370.211	n	(P-11713) (E-11884)		
370.212	n	(P-11713) (E-11884)		
370.301	n	(P-11713) (E-11884)	am	(P-4159; A-12561)
370.302	n	(P-11713) (E-11884)	am	(P-7279)
370.303	n	(P-11713) (E-11884)	am	(P-7279)
370.304	n	(P-11713) (E-11884)	am	(P-7279)
370.305	n	(P-11713) (E-11884)	n	(P-14074)
370.401	n	(P-11713) (E-11884)	n	(P-14074)
370.402	n	(P-11713) (E-11884)	n	(P-14074)
370.501	n	(P-11713) (E-11884)	n	(P-14074)
370.502	n	(P-11713) (E-11884)	n	(P-8735)
370.503	n	(P-11713) (E-11884)	n	(P-8735)
370.504	n	(P-11713) (E-11884)	n	(P-8725)
370.505	n	(P-11713) (E-11884)	n	(P-8725)
370.506	n	(P-11713) (E-11884)	n	(P-8725)
370.507	n	(P-11713) (E-11884)	n	(P-8725)
370.508	n	(P-11713) (E-11884)	n	(P-8725)
370.601	n	(P-11713) (E-11884)	n	(P-8725)
370.602	n	(P-11713) (E-11884)	n	(P-8725)
370.603	n	(P-11713) (E-11884)	IL.A	
370.604	n	(P-11713) (E-11884)	am	(P-14859/91; PF-1743;
370.605	n	(P-11713) (E-11884)		W-2956; A-2766;
370.701	n	(P-11713) (E-11884)		C-3590)
370.702	n	(P-11713) (E-11884)		

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2008.20	am	W-2956; A-2766)			W-2956; A-2766)
2008.30	am	(P-14859/91; PF-1743;	2008.81	am	(P-8768; A-15452)
		W-2956; A-2766;	2008.82	am	(P-14859/91; PF-1743;
		C-3590)			W-2956; A-2766)
2008.40	am	(P-14859/91; PF-1743;	2008.90	am	(P-14859/91; PF-1743;
		W-2956; A-2766;			W-2956; A-2766;
		C-3590)			C-3590)
2008.50	am	(P-14859/91; PF-1743;	2008.100	am	(P-8768; A-15452)
		W-2956; A-2766;			(P-14859/91; PF-1743;
		C-3590)			W-2956; A-2766;
2008.60	am	(P-14859/91; PF-1743;	2008.101	am	C-3590)
		W-2956; A-2766;			(P-14859/91; PF-1743;
		C-3590)			W-2956; A-2766;
2008.61	r	(P-14859/91; PF-1743;	2008.102	am	C-3590)
		W-2956; A-2766)			(P-14859/91; PF-1743;
2008.70	am	(P-14859/91; PF-1743;			W-2956; A-2766;
		W-2956; A-2766;			C-3590)
		C-3590)			(P-8768; A-15452)
2008.71	#	(P-14859/91; PF-1743;	2008.103	am	(P-14859/91; PF-1743;
		W-2956; A-2766;			W-2956; A-2766;
		C-3590)			C-3590)
2008.71	n	(P-14859/91; PF-1743;	2008.104	am	(P-8768; A-15452)
		W-2956; A-2766;			(P-14859/91; PF-1743;
		C-3590)			W-2956; A-2766;
2008.71	am	(P-8768; A-15452)	2008.110	am	C-3590)
2008.72	n	(P-14859/91; PF-1743;			(P-14859/91; PF-1743;
		W-2956; A-2766;			W-2956; A-2766;
		C-3590)			C-3590)
2008.72	am	(P-8768; A-15452)	2008.Ap.A	am	(P-14859/91; PF-1743;
2008.73	n	(P-14859/91; PF-1743;			W-2956; A-2766;
		W-2956; A-2766;	2008.Ap.B	am	C-3590)
		C-3590)			(P-14859/91; PF-1743;
2008.73	am	(P-8768; A-15452)			W-2956; A-2766;
		(E-19226) (P-18917)	2008.Ap.C	#	C-3590)
2008.74	n	(P-14859/91; PF-1743;			(P-14859/91; PF-1743;
		W-2956; A-2766)	2008.Ap.C	n	W-2956; A-2766;
2008.75	#	(P-14859/91; PF-1743;			C-3590)
		W-2956; A-2766;			(P-14859/91; PF-1743;
		C-3590)			W-2956; A-2766;
2008.75	am	(P-14859/91; PF-1743;	2008.Ap.C	am	C-3590)
		W-2956; A-2766;			(P-8768; A-15452)
		C-3590)	2008.Ap.D	r	(P-14859/91; PF-1743;
2008.80	am	(P-14859/91; PF-1743;			W-2956; A-2766;
		W-2956; A-2766;	2008.Ap.D	n	C-3590)
		C-3590)			(P-14859/91; PF-1743;
2008.81	r	(P-8768; A-15452)	2008.Ap.D	am	W-2956; A-2766;
		(P-14859/91; PF-1743;			C-3590)
		W-2956; A-2766)			(P-8768; A-15452)

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2008. Ap. E n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	2008. Ap. O am	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)		
2008. Ap. E am	(P-8768; A-15452)	2008. Ap. P n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)		
2008. Ap. F n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	2013.10 am	(P-10375)		
2008. Ap. F am	(P-8768; A-15452)	2013.20 am	(P-10375)		
2008. Ap. G n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	2013.30 am	(P-10375)		
2008. Ap. G am	(P-8768; A-15452)	2013.50 am	(P-10375)		
2008. Ap. H n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	2013.60 am	(P-10375)		
2008. Ap. H am	(P-8768; A-15452)	2013.70 am	(P-10375)		
2008. Ap. I n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	2015.10 n	(P-6925; RC-18858)		
2008. Ap. I am	(P-8768; A-15452)	2015.20 n	(P-6925; RC-18858)		
2008. Ap. J n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	2015.30 n	(P-6925; RC-18858)		
2008. Ap. J am	(P-8768; A-15452)	2015.40 n	(P-6925; RC-18858)		
2008. Ap. K n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	2015.50 n	(P-6925; RC-18858)		
2008. Ap. K am	(P-8768; A-15452)	2015.60 n	(P-6925; RC-18858)		
2008. Ap. L n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	2600.50 am	(P-7120)		
2008. Ap. L am	(P-8768; A-15452)	2720.2 n	(E-7506)		
2008. Ap. M #	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	2725.2 n	(E-7502)		
2008. Ap. M am	(P-8768; A-15452)	3201.10 r	(P-9279; A-17280)		
2008. Ap. M n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	3201.20 r	(P-9279; A-17280)		
2008. Ap. N r	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	3201.30 r	(P-9279; A-17280)		
2008. Ap. N am	(P-8768; A-15452)	3201.40 r	(P-9279; A-17280)		
2008. Ap. N n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	3201.50 r	(P-9279; A-17280)		
2008. Ap. O #	(P-8768; A-15452)	3201.60 r	(P-9279; A-17280)		
2008. Ap. O am	(P-8768; A-15452)	3201.70 r	(P-9279; A-17280)		
2008. Ap. O n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	3202.10 r	(P-9288; A-17284)		
2008. Ap. P #	(P-8768; A-15452)	3202.20 r	(P-9288; A-17284)		
2008. Ap. P am	(P-8768; A-15452)	3202.30 r	(P-9284; A-17282)		
2008. Ap. P n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	3203.10 r	(P-9284; A-17282)		
2008. Ap. Q r	(P-8768; A-15452)	3203.20 r	(P-9294; A-17288)		
2008. Ap. Q am	(P-8768; A-15452)	3204.10 r	(P-9291; A-17286)		
2008. Ap. Q n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	3205.10 r	(P-9291; A-17286)		
2008. Ap. R r	(P-8768; A-15452)	3205.20 r	(P-9291; A-17286)		
2008. Ap. R am	(P-8768; A-15452)	3205.30 r	(P-9291; A-17286)		
2008. Ap. R n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	3319.40 am	(P-11055/91; A-1526)		
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2008. Ap. E am	(P-8768; A-15452)	120.110 n	(P-1997)		
2008. Ap. E n	(P-14859/91; PF-1743; W-2956; A-2766; C-3590)	120.120 n	(P-1997)		
2008. Ap. E am	(P-8768; A-15452)	120.130 n	(P-1997)		

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120.160	n	(P-1997)	300.450	n
120.170	n	(P-1997)	300.460	n
250.105	am	(P-15862/91; A-5335)	300.500	n
250.110	r	(P-15862/91; A-5335)	300.510	n
250.115	r	(P-15862/91; A-5335)	300.520	n
250.120	r	(P-15862/91; A-5335)	300.600	n
250.125	r	(P-15862/91; A-5335)	300.610	n
250.130	r	(P-15862/91; A-5335)	300.620	n
250.135	r	(P-15862/91; A-5335)	300.630	n
250.140	r	(P-15862/91; A-5335)	300.640	n
250.145	r	(P-15862/91; A-5335)	300.700	n
250.150	r	(P-15862/91; A-5335)	300.710	n
250.200	am	(P-15862/91; A-5335)	300.720	n
250.500	am	(P-15862/91; A-5335)	300.730	n
250.600	am	(P-15862/91; A-5335)	300.740	n
250.700	am	(P-15862/91; A-5335)	300.750	n
250.705	n	(P-15862/91; A-5335)	300.760	n
250.710	n	(P-15862/91; A-5335)	300.770	n
250.715	n	(P-15862/91; A-5335)	300.780	n
250.805	am	(P-15862/91; A-5335)	300.790	n
250.820	am	(P-15862/91; A-5335)	300.800	n
250.825	am	(P-15862/91; A-5335)	300.810	n
250.855	n	(P-15862/91; A-5335)	300.820	n
250.860	n	(P-4626; C-6897;		
300.100	r	A-13828)		
300.110	r	(P-4626; C-6897;		
300.120	r	A-13828)		
300.200	r	(P-4626; C-6897;		
300.210	r	A-13828)		
300.220	r	(P-4626; C-6897;		
300.230	r	A-13828)		
300.300	r	(P-4626; C-6897;		
300.310	r	A-13828)		
300.400	r	(P-4626; C-6897;		
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300.420	r	(P-4626; C-6897;		
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			350.460	n	(P-4645; C-6057)	
300.840	n	(P-4626; C-6897; A-13828)	350.4p.A	n	(P-4645; C-6057)	
			350.4p.B	n	(P-4645; C-6057)	
300.850	n	(P-4626; C-6897; A-13828)	350.4p.C	n	(P-4645; C-6057)	
			350.4p.D	n	(P-4645; C-6057)	
300.860	n	(P-4626; C-6897; A-13828)	350.4p.E	n	(P-4645; C-6057)	
			360.100	n	(P-8838; A-16586)	
300.870	n	(P-4626; C-6897; A-13828)	360.110	n	(P-8838; A-16586)	
			360.120	n	(P-8838; A-16586)	
300.880	n	(P-4626; C-6897; A-13828)	360.130	n	(P-8838; A-16586)	
			360.140	n	(P-8838; A-16586)	
300.890	n	(P-4626; C-6897; A-13828)	360.150	n	(P-8838; A-16586)	
			360.160	n	(P-8838; A-16586)	
300.900	n	(P-4626; C-6897; A-13828)	360.170	n	(P-8838; A-16586)	
			360.180	n	(P-8838; A-16586)	
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			1700.20	n	(P-1469)	
300.920	n	(P-4626; C-6897; A-13828)	1700.30	n	(P-1469)	
			1700.40	n	(P-1469)	
300.930	n	(P-4626; C-6897; A-13828)	1700.50	n	(P-1469)	
			1700.60	n	(P-1469)	
300.940	n	(P-4626; C-6897; A-13828)	2600.20	am	(P-11865/91; A-13741)	
			2610.75	n	(P-11894/91; A-137272)	
300.950	n	(P-4626; C-6897; A-13828)	2610.130	am	(P-6905; A-17266)	
			2620.10	r	(P-12964/91; A-6175)	
300.960	n	(P-4626; C-6897; A-13828)	2620.20	r	(P-12964/91; A-6175)	
			2620.30	r	(P-12964/91; A-6175)	
300.970	n	(P-4626; C-6897; A-13828)	2620.40	r	(P-12964/91; A-6175)	
			2620.50	r	(P-12964/91; A-6175)	
300.980	n	(P-4626; C-6897; A-13828)	2620.60	r	(P-12964/91; A-6175)	
			2620.70	r	(P-12964/91; A-6175)	
300.990	n	(P-4626; C-6897; A-13828)	2620.80	r	(P-12964/91; A-6175)	
			2620.90	r	(P-12964/91; A-6175)	
300.1000	n	(P-4626; C-6897; A-13828)	2620.100	r	(P-12964/91; A-6175)	
			2625.55	am	(P-5124)	
300.1010	n	(P-4626; C-6897; A-13828)	2630.82	am	(P-8081/91; A-1524)	
			2630.83	am	(P-1154591; A-6796)	
300.1020	n	(P-4626; C-6897; A-13828)	2650.10	am	(P-8081/91; A-1524)	
			2650.20	am	(P-9202; A-17969)	
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350.280	am	(P-1) (P-3780; A-8518)	2650.40	am	(P-9202; A-17969)	
350.290	n	(P-3260)	2650.310	am	(P-9202; A-17969)	
350.300	n	(P-3260)	2650.320	n	(P-9202; A-17969)	
350.310	n	(P-3260)	2650.330	n	(P-9202; A-17969)	
350.400	n	(P-4645; C-6057)	2650.340	n	(P-9202; A-17969)	
350.410	n	(P-4645; C-6057)	2650.350	n	(P-9202; A-17969)	
350.420	n	(P-4645; C-6057)	2712.201	am	(P-9202; A-17969)	
350.430	n	(P-4645; C-6057)	2712.203	am	(P-17853)	
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2720.2 n	(E-7506)	2770.105 am (P-15625)
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2720.7 n	(P-14343/91; A-2556)	5300.10 am (P-10521/91; A-7838)
2720.10 am	(P-14343/91; A-2556)	5300.20 am (P-10521/91; A-7838)
2720.108 am	(P-14343/91; A-2556)	5300.30 am (P-10521/91; A-7838)
2720.130 am	(P-14343/91; A-2556)	5300.40 am (P-10521/91; A-7838)
2720.215 n	(P-14343/91; A-2556)	5300.210 am (P-10521/91; A-7838)
2720.240 am	(P-14343/91; A-2556)	5300.310 am (P-10521/91; A-7838)
2720.315 am	(P-14343/91; A-2556)	5300.450 am (P-10521/91; A-7838)
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2725.115 am	(P-14014/91; A-2122)	5300.570 r (P-10521/91; A-7838)
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2760.120 am	(P-14023/91; A-3993)	5300.730 am (P-10521/91; A-7838)
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2760.150 am	(P-14023/91; A-3993)	5300.760 am (P-10521/91; A-7838)
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2765.45 am	(P-14032/91; A-2131)	5300.770 r (P-10521/91; A-7838)
2765.50 am	(P-12006)	5300.782 r (P-10521/91; A-7838)
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2765.60 am	(P-14032/91; A-2131)	5300.784 r (P-10521/91; A-7838)
2765.64 n	(P-12006)	5300.785 r (P-10521/91; A-7838)
2765.66 am	(P-12006)	5300.786 r (P-10521/91; A-7838)
2765.67 n	(P-11034/91; A-12165)	5300.787 r (P-10521/91; A-7838)
2765.68 am	(P-14032/91; A-2131)	5300.825 am (P-10521/91; A-7838)
2765.69 n	(P-11034/91; A-12165)	5300.865 am (P-10521/91; A-7838)
2765.70 am	(P-12006)	5300.920 am (P-10521/91; A-7838)
2765.74 n	(P-12006)	5300.930 am (P-10521/91; A-7838)
2765.75 am	(P-12006)	5300.940 am (P-10521/91; A-7838)
2765.225 n	(P-11034/91; A-12165)	5300.950 am (P-10521/91; A-7838)
2765.228 n	(P-11034/91; A-12165)	5300.960 am (P-10521/91; A-7838)
2765.230 n	(P-11034/91; A-12165)	5300.1145 n (P-10521/91; A-7838)
2765.325 am	(P-11034/91; A-12165)	5300.1150 am (P-10521/91; A-7838)
2765.328 n	(P-11034/91; A-12165)	5300.1160 am (P-10521/91; A-7838)
2765.328 am	(P-15638)	5400.110 am (P-1490; A-8529)
2765.329 n	(P-15638)	(E-1693)
2765.330 n	(P-15638)	5400.210 am (P-1490; A-8529)
2765.333 am	(P-15638)	(E-1693)
2765.334 am	(P-15638)	

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TITLE 62 (CONT'D)				TITLE 68 (CONT'D)			
1784.18	am	(P-10853)	1848.3	n	(P-10669)	870.325	n
1784.27	am	(P-10853)	1848.5	n	(P-10669)	870.400	n
1785.13	am	(P-10784)	1848.6	n	(P-10669)	870.405	n
1800.11	am	(P-10607)	1848.7	n	(P-10669)	870.500	n
1800.40	am	(P-10607)	1848.8	n	(P-10669)	870.505	n
1800.50	am	(P-10607)	1848.9	n	(P-10669)	870.510	n
1816.42	am	(P-10695)	1848.11	n	(P-10669)	870.515	n
1816.43	am	(P-10695)	1848.12	n	(P-10669)	870.520	n
1816.49	am	(P-10695)	1848.13	n	(P-10669)	870.525	n
1816.84	am	(P-10695)	1848.15	n	(P-10669)	1130.10	n
1816.116	am	(P-10695)	1848.16	n	(P-10669)	1130.20	n
1816.117	am	(P-10695)	1848.17	n	(P-10669)	1130.30	n
1816.151	am	(P-10695)	1848.18	n	(P-10669)	1130.40	n
1817.42	am	(P-10726)	1848.19	n	(P-10669)	1130.50	n
1817.42	am	(P-10726)	1848.20	n	(P-10669)	1130.60	n
1817.43	am	(P-10726)	1848.21	n	(P-10669)	1130.70	n
1817.49	am	(P-10726)	1848.22	n	(P-10669)	1150.20	am
1817.84	am	(P-10726)	2501.37	n	(P-2719; A-8345) (E-2897)	1150.30	am
1817.116	am	(P-10726)				1150.40	am
1817.117	am	(P-10726)				1150.50	am
1817.151	am	(P-10726)				1150.60	am
1817.182	am	(P-10726)				1150.70	am
1827.12	am	(P-10803)				1150.80	am
1843.12	am	(P-10807)				1150.90	am
1843.13	am	(P-10807)				1150.100	am
1843.14	am	(P-10807)				1150.110	am
1843.15	am	(P-10807)				1150.11.A	am
1843.16	r	(P-10807)				1175.565	am
1843.17	r	(P-10807)				1200.30	am
1843.20	r	(P-10807)				1210.10	am
1843.21	r	(P-10807)				1210.20	am
1845.12	am	(P-10619)				1210.25	n
1845.13	am	(P-10619)				1210.30	r
1845.17	am	(P-10619)				1210.40	r
1845.18	am	(P-10619)				1210.50	r
1845.19	r	(P-10619)				1210.60	am
1845.20	am	(P-10619)				1210.70	am
1846.17	am	(P-10691)				1210.80	am
1846.18	am	(P-10691)				1210.90	am
1847.1	n	(P-10569)				1210.100	r
1847.2	n	(P-10569)				1210.105	n
1847.3	n	(P-10569)				1210.110	am
1847.4	n	(P-10569)				1210.120	r
1847.5	n	(P-10569)				1210.130	r
1847.6	n	(P-10569)				1210.140	am
1847.7	n	(P-10569)				1210.150	am
1847.8	n	(P-10569)				1210.160	am
1847.9	n	(P-10569)				1210.170	am
1848.1	n	(P-10669)					
1848.2	n	(P-10669)					

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TITLE 68 (CONT'D)	1510.30	n	(P-12104; A-17077) (E-12216)
1330.70 am			
1330.75 n	1510.40	n	(P-12104; A-17077)
1330.80 am	1510.50	n	(E-12216)
1330.90 am			
1330.91 am	1510.60	n	(P-12104; A-17077)
1330.92 am	1510.70	n	(P-12104; A-17077)
1330.93 am			
1330.94 am			
1330.95 am			
1330.96 am			
1330.99 am			
1330.100 am			
1330.110 am			
1330.120 am			
1330.130 am			
1330.140 am			
1340.15 n			
1340.20 am			
1340.30 am			
1340.40 am			
1340.50 am			
1340.55 am			
1340.60 am			
1340.65 am			
1340.66 n			
1340.70 am			
1360.30 am			
1360.45 am			
1360.60 am			
1360.70 am			
1380.280 am			
1380.300 am			
1450.175 n			
1455.10 n			
1455.15 n			
1455.20 n			
1455.30 n			
1455.40 n			
1455.50 n			
1455.60 n			
1455.70 n			
1455.200 n			
1455.300 n			
1455.310 n			
1470.95 n			
1510.10 n			
1510.20 n			
TITLE 71			
110.10 n			
110.20 n			
110.30 n			
110.40 n			
110.50 n			
110.60 n			
110.70 n			
2000.45 am			
2000.100 am			
2000.210 am			
2000.245 am			
2000.250 am			
2000.320 am			
2000.340 am			
2000.410 am			
2000.430 am			
2000.500 am			
2000.520 am			
2000.540 am			
2300.10 n			
2300.30 n			
2300.50 n			
2300.70 n			
2300.80 n			
2300.90 n			
TITLE 74			
750.10 am			
750.30 am			
750.40 am			
750.41 n			
750.90 am			
750.110 am			
750.120 am			
750.130 am			
750. Ap A #,n			
750. Ap B #			
750. Ap C			

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TITLE 77	205.620	am	(P-3426)	350.1870	am	(P-18357/91; RC-10501; A-13910)
250.2720 n			(P-2016)			(P-18357/91; RC-10501; A-13910)
300.110 am			(P-2034; A-17089)			(P-18357/91; RC-10501; A-13910)
300.120 am			(P-4367/91; A-681)			(P-18357/91; RC-10501; A-13910)
300.140 am			(P-2034; A-17089)			(P-18357/91; RC-10501; A-13910)
300.150 am			(P-2034; A-17089)			(P-18357/91; RC-10501; A-13910)
300.330 am			(P-4367/91; A-681)			(P-18357/91; RC-10501; A-13910)
300.620 am			(P-2034; A-17089)			(P-18357/91; RC-10501; A-13910)
300.630 am			(P-4367/91; A-681)			(P-18357/91; RC-10501; A-13910)
300.1010 am			(P-2034; A-17089)			(P-18357/91; RC-10501; A-13910)
300.1035 n			(P-17555)			(P-4309/91; A-623)
300.1220 am			(P-2034; A-17089)			(P-18407/91; RC-10502; A-14329)
300.1240 am			(P-2034; A-17089)			(P-18407/91; RC-10502; A-14329)
300.2070 am			(P-2034; A-17089)			(P-18407/91; RC-10502; A-14329)
300.2420 am			(P-14039/91; A-5977)			(P-18407/91; RC-10502; A-14329)
300.3060 am			(P-2034; A-17089)			(P-18407/91; RC-10502; A-14329)
300.3100 am			(P-2034; A-17089)			(P-18407/91; RC-10502; A-14329)
300.3310 am			(P-2034; A-17089)			(P-18407/91; RC-10502; A-14329)
300.3710 am			(P-2034; A-17089)			(P-18407/91; RC-10502; A-14329)
300. Ap B			(P-2034; A-17089)			(P-18407/91; RC-10502; A-14329)
330.110 am			(P-2034; A-17089)			(P-18407/91; RC-10502; A-14329)
330.120 am			(P-4338/91; A-651)			(P-18407/91; RC-10502; A-14329)
330.140 am			(P-18407/91; A-14370)			(P-18407/91; RC-10502; A-14329)
330.150 am			(P-18407/91; A-14370)			(P-18407/91; RC-10502; A-14329)
330.330 am			(P-4338/91; A-651)			(P-18407/91; RC-10502; A-14329)
330.730 am			(P-18407/91; A-14370)			(P-18407/91; RC-10502; A-14329)
330.1125 n			(P-17540)			(P-18407/91; RC-10502; A-14329)
330.1970 am			(P-16531)			(P-18407/91; RC-10502; A-14329)
330.3620 am			(P-18407/91; A-14370)			(P-18407/91; RC-10502; A-14329)
330.4310 am			(P-18407/91; A-14370)			(P-18407/91; RC-10502; A-14329)
330.4510 am			(P-18407/91; A-14370)			(P-18407/91; RC-10502; A-14329)
330. Ap B			(P-18407/91; A-14370)			(P-18407/91; RC-10502; A-14329)
350.120 am			(P-4280/91; A-594)			(P-18407/91; RC-10502; A-14329)
350.140 am			(P-18357/91; RC-10501; A-13910)			(P-18407/91; RC-10502; A-14329)
350.150 am			(P-18357/91; RC-10501; A-13910)			(P-18407/91; RC-10502; A-14329)
350.330 am			(P-4280; A-594)			(P-18407/91; RC-10502; A-14329)
350.370 am			(P-18357/91; RC-10501; A-13910)			(P-18407/91; RC-10502; A-14329)
350.640 am			(P-4791)			(P-18407/91; RC-10502; A-14329)
350.1230 am			(P-18357/91; RC-10501; A-13910)			(P-18407/91; RC-10502; A-14329)
350.1235 n			(P-15044)			(P-18407/91; RC-10502; A-14329)

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535.260	am	(P-10911)	630.90	am	(P-8103)
535.265	am	(P-10911)	630.200	am	(P-8103)
535.270	am	(P-10911)	635.30	am	(P-15816)
535.310	am	(P-10911)	635.35	am	(P-15816)
535.315	am	(P-10911)	635.90	am	(P-15816)
535.320	am	(P-10911)	672.100	am	(P-9424; A-17734)
535.320	am	(P-10911)	672.105	am	(P-9424; A-17734)
535.330	am	(P-10911)	672.200	am	(P-9424; A-17734)
535.340	am	(P-10911)	672.205	am	(P-9424; A-17734)
535.400	am	(P-10911)	672.210	am	(P-9424; A-17734)
535.410	am	(P-10911)	672.215	am	(P-9424; A-17734)
535.415	am	(P-10911)	672.225	am	(P-9424; A-17734)
535.420	am	(P-10911)	672.300	am	(P-9424; A-17734)
535.430	am	(P-10911)	672.405	am	(P-9424; A-17734)
535.435	am	(P-10911)	672.415	am	(P-9424; A-17734)
535.440	am	(P-10911)	672.420	am	(P-9424; A-17734)
535.500	n	(P-10911)	672.450	am	(P-9424; A-17734)
535.510	r	(P-10911)	672.505	am	(P-9424; A-17734)
535.515	am	(P-10911)	672.510	am	(P-9424; A-17734)
535.520	am	(P-10911)	672.515	am	(P-9424; A-17734)
535.530	am	(P-10911)	672.615	am	(P-9424; A-17734)
535.535	am	(P-10911)	672.625	am	(P-9424; A-17734)
535.540	am	(P-10911)	672.650	am	(P-9424; A-17734)
535.600	am	(P-10911)	682.100	am	(P-13428)
535.650	am	(P-10911)	682.130	am	(P-13428)
535.750	am	(P-10911)	682.140	am	(P-13428)
535.810	am	(P-10911)	682.150	am	(P-13428)
535.1000	n	(P-10911)	682.170	am	(P-13428)
540.65	am	(P-15023)	682.195	n	(P-13428)
540.70	am	(P-15023)	682.200	am	(P-13428)
540.80	am	(P-15023)	682.210	am	(P-13428)
540.90	am	(P-15023)	682.215	n	(P-13428)
595.10	am	(P-17477)	682.230	am	(P-13428)
595.100	am	(P-17477)	682.250	am	(P-13428)
595.110	am	(P-17477)	682.260	am	(P-13428)
595.200	am	(P-17477)	682.320	am	(P-13428)
595.300	am	(P-17477)	682.410	am	(P-13428)
595.310	am	(P-17477)	682.420	am	(P-13428)
595.320	am	(P-17477)	682.450	am	(P-13428)
595.320	r	(P-17477)	682.460	r	(P-13428)
595.320	r	(P-17477)	682.470	r	(P-13428)
597.10	n	(P-17529)	682.480	r	(P-13428)
597.100	n	(P-17529)	682.490	r	(P-13428)
597.110	n	(P-17529)	682.500	r	(P-13428)
597.200	n	(P-17529)	682.510	r	(P-13428)
597.210	n	(P-17529)	682.520	r	(P-13428)
597.220	n	(P-17529)	682.530	r	(P-13428)
597.300	n	(P-17529)	682.540	r	(P-13428)
597.310	n	(P-17529)	682.550	r	(P-13428)
597.320	n	(P-17529)	682.560	r	(P-13428)
630.20	am	(P-8103)	692.10	n	(P-14389/91; A-4052)
			692.10	n	(P-14389/91; A-4052)

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692.Ap.B	n	(P-14389/91; A-4052)	760.2020	n	(P-5861; A-16050)
693.10	am	(P-16874/91; RC-4556; A-5921)	760.2030	n	(P-5861; A-16050)
693.15	am	(P-16874/91; A-5921)	760.2031	n	(P-5861; A-16050)
693.30	am	(P-16874/91; RC-4556; A-5921)	760.2032	n	(P-5861; A-16050)
693.40	am	(P-16874/91; RC-4556; A-5921)	760.2040	n	(P-5861; A-16050)
693.45	n	(P-16874/91; A-5921)	760.2041	n	(P-5861; A-16050)
693.100	am	(P-16874/91; A-5921)	760.2042	n	(P-5861; A-16050)
694.20	am	(P-13414)	760.2050	n	(P-5861; A-16050)
694.100	am	(P-13414)	760.2060	n	(P-5861; A-16050)
694.110	am	(P-13414)	760.2070	n	(P-5861; A-16050)
694.220	am	(P-13414)	760.2080	n	(P-5861; A-16050)
694.220	am	(P-6972/91; A-5916)	760.3000	n	(P-5861; A-16050)
694.Ap.A	r	(P-13414)	760.3100	n	(P-5861; A-16050)
695.10	am	(P-13472)	770.10	r	(P-5885; A-16072)
695.30	am	(P-13472)	770.20	r	(P-5885; A-16072)
695.40	am	(P-13472)	770.30	r	(P-5885; A-16072)
695.50	am	(P-13472)	790.40	am	(P-15943/91; A-5941; C-7512)
695.Ap.A	n	(P-5836; A-15995)	790.480	am	(P-4782; A-12913)
750.50	am	(P-5836; A-15995)	790.500	am	(E-4899)
750.10	am	(P-5836; A-15995)	790.540	am	(P-4782; A-12913)
750.100	am	(P-5836; A-15995)	790.548	am	(E-4899) (P-17496)
750.110	am	(P-5836; A-15995)	790.580	am	(E-17781)
750.2000	n	(P-5836; A-15995)	790.600	am	(P-4782; A-12913)
750.2010	n	(P-5836; A-15995)			(E-4899)
750.2020	n	(P-5836; A-15995)			(P-4782; A-12913)
750.2030	n	(P-5836; A-15995)			(E-4899)
750.2041	n	(P-5836; A-15995)			(P-15943/91; A-5941; C-7512)
750.2042	n	(P-5836; A-15995)			(E-8571)
750.2050	n	(P-5836; A-15995)			(P-4782; A-12913)
750.2060	n	(P-5836; A-15995)			(E-4899)
750.2070	n	(P-5836; A-15995)			(P-4782; A-12913)
750.2080	n	(P-5836; A-15995)			(E-4899)
750.3000	n	(P-5836; A-15995)			(P-4782; A-12913)
750.3100	n	(P-5836; A-15995)			(E-4899)
750.3200	n	(P-5836; A-15995)			(P-4782; A-12913)
760.15	am	(P-5861; A-16050)			(E-4899)
760.20	am	(P-5861; A-16050)			(P-4782; A-12913)
760.100	am	(P-5861; A-16050)			(E-4899)
760.110	am	(P-5861; A-16050)			(P-4782; A-12913)
760.900	am	(P-5861; A-16050)			(E-4899)
760.2000	n	(P-5861; A-16050)			(P-4782; A-12913)
760.2010	n	(P-5861; A-16050)			(E-17781)

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790.3085	am	(P-4782; A-12913) (E-4899)	790.3907	am	(P-4782; A-12913) (E-4899) (P-17496) (E-17781)
790.3100	am	(P-4782; A-12913) (E-4899)	790.3910	am	(P-4782; A-12913) (E-4899)
790.3235	n	(P-17496) (E-17781)	790.3914	am	(P-17496) (E-17781)
790.3260	am	(P-4782; A-12913) (E-4899)	790.3940	am	(P-4782; A-12913) (E-4899)
790.3300	am	(P-4782; A-12913) (E-4899)	790.3945	am	(P-4782; A-12913) (E-4899)
790.3308	am	(P-4782; A-12913) (E-4899) (P-17496) (E-17781)			
790.3315	am	(P-4782; A-12913) (E-4899)	790.3980	am	(P-4782; A-12913) (E-4899)
790.3335	am	(P-4782; A-12913) (E-4899)	790.3996	am	(P-4782; A-12913) (E-4899)
790.3337	n	(P-17496) (E-17781)	790.4012	am	(P-4782; A-12913) (E-4899)
790.3340	am	(P-4782; A-12913) (E-4899)	790.4040	am	(P-4782; A-12913) (E-4899)
790.3420	am	(P-4782; A-12913) (E-4899) (P-17496) (E-17781)			
790.3437	am	(P-4782; A-12913) (E-4899)	790.4060	am	(P-4782; A-12913) (E-4899)
		(P-8329; A-16019)	790.4100	am	(P-4782; A-12913) (E-4899)
790.3472	am	(E-8571)			
790.3480	n	(P-4782; A-12913) (E-4899)	790.4140	am	(P-4782; A-12913) (E-4899)
790.3492	am	(P-4782; A-12913) (E-4899)	790.4173	am	(P-4782; A-12913) (E-4899)
790.3495	n	(P-4782; A-12913) (E-4899)	790.4180	am	(P-4782; A-12913) (E-4899)
790.3540	am	(P-4782; A-12913) (E-4899)	790.4220	am	(P-4782; A-12913) (E-4899)
790.3620	am	(P-4782; A-12913) (E-4899)			
790.3700	am	(P-4782; A-12913) (E-4899)	790.4260	am	(P-4782; A-12913) (E-4899)
790.3720	am	(P-17496) (E-17781)	790.4300	am	(P-4782; A-12913) (E-4899)
790.3742	am	(P-4782; A-12913) (E-4899)	790.4380	am	(P-17496) (E-17781)
790.3780	am	(P-4782; A-12913) (E-4899)	790.4382	#	(P-17496) (E-17781)
790.3860	am	(P-4782; A-12913) (E-4899)	790.4384	#, n	(P-17496) (E-17781)
790.3875	n	(P-4782; A-12913) (E-4899)	790.4385	am	(P-4782; A-12913) (E-4899)
790.3902	n	(P-4782; A-12913) (E-4899)	790.4386	am	(P-4782; A-12913) (E-4899)

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790.4396	am	(P-4782; A-12913) (E-4899)	790.5180	am	(P-4782; A-12913) (E-4899)
790.4398	am	(P-4782; A-12913) (E-4899)	790.5220	am	(P-15943/91; A-5941; C-7512)
790.4420	am	(P-4782; A-12913) (E-4899)	790.5300	am	(P-4782; A-12913) (E-4899)
790.4580	am	(P-4782; A-12913) (E-4899)	790.5312	am	(P-4782; A-12913) (E-4899)
790.4620	am	(P-4782; A-12913) (E-4899)			
790.4660	am	(P-4782; A-12913) (E-4899)	790.5320	am	(P-15843/91; A-5941; C-7512)
		(P-8329; A-16019)			
790.4670	am	(E-8571)	790.5380	am	(P-4782; A-12913) (E-17781)
790.4680	am	(P-4782; A-12913) (E-4899)			
790.4700	am	(P-4782; A-12913) (E-4899)	790.5420	am	(P-4782; A-12913) (E-4899)
790.4720	am	(P-4782; A-12913) (E-4899)	790.5483	am	(P-4782; A-12913) (E-4899)
790.4728	am	(P-4782; A-12913) (E-4899) (P-17496) (E-17881)	790.5500	am	(P-4782; A-12913) (E-4899)
790.4740	am	(P-17496) (E-17881)	790.5520	am	(P-4782; A-12913) (E-17781)
790.4780	am	(P-4782; A-12913) (E-4899)	790.5540	am	(P-4782; A-12913) (E-4899)
790.4840	am	(P-4782; A-12913) (E-4899)	790.5544	am	(P-4782; A-12913) (E-4899)
790.4860	am	(P-4782; A-12913) (E-4899)	790.5620	am	(P-4782; A-12913) (E-4899)
790.4900	am	(P-4782; A-12913) (E-4899)	790.5640	am	(P-15943/91; A-5941)
		(P-8329; A-16019)	790.5700	am	(P-4782; A-12913) (E-4899)
790.4965	am	(E-8571) (P-17496) (E-17781)	790.5740	am	(P-4782; A-12913) (E-4899)
790.4980	am	(P-4782; A-12913) (E-4899)	790.5788	n	(P-4782; A-12913) (E-4899)
790.5060	am	(P-4782; A-12913) (E-4899)			
790.5100	am	(P-4782; A-12913) (E-4899)	790.5792	am	(P-4782; A-12913) (E-4899)
790.5140	am	(P-4782; A-12913) (E-4899)	790.5802	am	(P-4782; A-12913) (E-4899)

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TITLE 77 (CONT'D)		
790.5807	am	790.6430
	(P-4782; A-12913) (E-4899)	(P-8329; A-16019) (E-8571) 9P-17496) (E-17781)
790.5820	am	790.6452
	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
790.5830	am	790.6456
	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
790.5872	am	790.6460
	(P-4782; A-12913) (E-4899) (P-17496) (E-17781)	(P-4782; A-12913) (E-4899) (E-4899)
790.5900	am	790.6480
	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
790.5940	am	790.6500
	(P-4782; A-12913) (E-4899) (P-17496) (E-17781)	(P-4782; A-12913) (E-4899) (P-17496) (E-17781)
790.5980	am	790.6540
	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
790.6020	r	790.6570
	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
790.6140	am	790.6580
	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
	(P-8329; A-16019) (E-8571)	790.6610
790.6180	am	790.6670
	(P-4782; A-12913) (E-4899) (P-17496) (E-17781)	(P-4782; A-12913) (E-4899) (E-17781)
790.6260	am	790.6740
	(P-4782; A-12913) (E-4899)	(P-17496) (E-17781) (E-4899)
790.6275	am	790.6780
	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
790.6277	am	790.6800
	(P-4782; A-12913) (E-4899)	(P-8329; A-16019) (E-8571)
790.6280	r	790.6820
	(P-4782; A-12913) (E-4899) (P-17496) (E-17781)	(P-4782; A-12913) (E-4899) (E-4899)
790.6300	am	790.6860
	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
790.6340	am	790.6875
	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
790.6370	am	790.6895
	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
	(P-15943/91; A-5941; C-7512) (P-8329; A-16019) (E-8571) (P-17496) (E-17781)	790.6940
790.6375	am	790.6960
	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)
790.6420	am	790.6980
	(P-4782; A-12913) (E-4899)	(P-4782; A-12913) (E-4899)

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TITLE 77 (CONT'D)		
790.7100	am	(P-4782; A-12913) (E-4899)
790.7120	am	(P-4782; A-12913) (E-4899)
790.7130	am	(P-4782; A-12913) (E-4899)
790.7140	am	(P-4782; A-12913) (E-4899)
790.7180	am	(P-4782; A-12913) (E-4899)
790.7221	am	(P-17496) (E-17781) (P-4782; A-12913)
790.7229	am	(P-4782; A-12913) (E-4899)
790.7245	am	(P-17496) (E-17781) (P-4782; A-12913)
790.7260	am	(P-4782; A-12913) (E-4899)
790.7263	n	(P-4782; A-12913) (E-4899) (P-17496) (E-17781)
790.7265	am	(P-4782; A-12913) (E-4899)
		(P-8329; A-16019) (E-8571) (P-17496)
790.7278	am	(P-17496) (E-17781) (P-4782; A-12913)
790.7280	am	(E-4899) (P-17496) (E-17781)
790.7291	am	(P-4782; A-12913) (E-4899)
790.7296	am	(P-4782; A-12913) (E-4899)
790.7380	am	(P-4782; A-12913) (E-4899)
790.7400	am	(P-4782; A-12913) (E-4899)
790.7420	am	(P-8329; A-16019) (E-8571)
790.7500	am	(P-4782; A-12913) (E-4899)
790.7510	am	(P-4782; A-12913) (E-4899)
790.7520	n	(P-17496) (E-17781) (P-4782; A-12913)
790.7540	am	(P-4782; A-12913) (E-4899)
790.7580	am	(P-4782; A-12913) (E-4899)
790.7700	am	(P-4782; A-12913) (E-4899)
790.7740	am	(P-4782; A-12913) (E-4899)
790.7820	am	(P-4782; A-12913) (E-4899)
790.7828	am	(P-4782; A-12913) (E-4899)
790.7834	am	(P-4782; A-12913) (E-4899)
790.7860	am	(P-4782; A-12913) (E-4899)
790.7875	n	(P-17496) (E-17781) (P-4782; A-12913)
790.7940	am	(E-4899)
790.7980	am	(P-4782; A-12913) (E-4899)
790.8015	am	(P-4782; A-12913) (E-4899)
790.8020	am	(P-4782; A-12913) (E-4899)
790.8030	am	(P-8329; A-16019) (E-8571) (P-17496)
790.8106	am	(E-17781) (P-4782; A-12913)
790.8136	am	(P-4782; A-12913) (E-4899)
790.8248	am	(P-4782; A-12913) (E-4899)
790.8300	am	(P-4782; A-12913) (E-4899)
790.8420	am	(P-4782; A-12913) (E-4899)
790.8540	am	(P-4782; A-12913) (E-4899)
790.8550	am	(P-17496) (E-17781) (P-4782; A-12913)
790.8580	am	(E-4899)
		(P-15943/91; A-5941; C-7512)
790.8620	am	(P-4782; A-12913) (E-4899)
790.8700	am	(P-4782; A-12913) (E-4899)

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TITLE 77 (CONT'D)					
790.8710	am	(P-4782; A-12913) (E-4889) (P-17496) (E-17781)	790.9220	am	(P-4782; A-12913) (E-4899)
790.8724	am	(P-4782; A-12913) (E-4899)	790.9260	am	(P-4782; A-12913) (E-4899)
790.8740	am	(P-4782; A-12913) (E-4899)	790.9300	am	(P-4782; A-12913) (E-4899)
790.8780	am	(P-4782; A-12913) (E-4899)	790.9340	am	(P-4782; A-12913) (E-4899)
790.8820	am	(P-4782; A-12913) (E-4899)	790.9380	am	(P-4782; A-12913) (E-4899)
790.8835	n	(P-17496) (E-17781)	790.9420	am	(P-4782; A-12913) (E-4899)
790.8900	am	(P-4782; A-12913) (E-4899)	790.9460	am	(P-4782; A-12913) (E-4899)
790.8940	am	(P-4782; A-12913) (E-4899)	790.9500	am	(P-4782; A-12913) (E-4899) (P-17496) (E-17781)
790.8980	am	(P-4782; A-12913) (E-4899)	790.9520	am	(P-4782; A-12913) (E-4899) (P-17496) (E-17781)
790.9020	am	(P-4782; A-12913) (E-4899)	790.9530	am	(P-4782; A-12913) (E-4899)
790.9035	am	(P-4782; A-12913) (E-4899)	790.9580	am	(P-4782; A-12913) (E-4899)
790.9045	am	(P-4782; A-12913) (E-4899) (P-17496) (E-17881)	795.10	n	(P-8136; A-19895)
790.9048	am	(P-4782; A-12913) (E-4899)	795.20	n	(P-8136; A-19895)
		(P-15943/91; A-5941; C-7512)	795.30	n	(P-8136; A-19895)
			795.40	n	(P-8136; A-19895)
			795.50	n	(P-8136; A-19895)
790.9050	am	(P-15943/91; A-5941; C-7512) (P-8329; A-16019) (E-8571) (P-17496) (E-17781) (E-4899)	795.60	n	(P-8136; A-19895)
			795.70	n	(P-8136; A-19895)
			795.80	n	(P-8136; A-19895)
			795.90	n	(P-8136; A-19895)
790.9056	am	(P-4782; A-12913) (E-4899)	795.100	n	(P-8136; A-19895)
			795.110	n	(P-8136; A-19895)
790.9060	am	(P-4782; A-12913) (E-4899)	795.120	n	(P-8136; A-19895)
790.9070	n	(P-8329; A-16019) (E-8571) (P-17496) (E-17781)	795.130	n	(P-8136; A-19895)
			795.140	n	(P-8136; A-19895)
			795.150	n	(P-8136; A-19895)
790.9084	am	(P-4782; A-12913) (E-4899)	795.160	n	(P-8136; A-19895)
			795.170	n	(P-8136; A-19895)
790.9100	am	(P-4782; A-12913) (E-4899)	795.180	n	(P-8136; A-19895)
			795.190	n	(P-8136; A-19895)
			795.200	n	(P-8136; A-19895)
			795.210	n	(P-8136; A-19895)
			795.220	n	(P-8136; A-19895)
790.9140	am	(P-4782; A-12913) (E-4899)	795.230	n	(P-8136; A-19895)
			795.240	n	(P-8136; A-19895)
790.9180	am	(P-4782; A-12913) (E-4899)	795.250	am	(P-8136; A-19895)
			795.260	am	(P-2092; A-11612) (P-2092; A-11612)
			795.270	am	(P-2092; A-11612)
			795.280	am	(P-2092; A-11612)
			795.290	am	(P-2092; A-11612)
			795.300	am	(P-2092; A-11612)
			795.310	am	(P-2092; A-11612)
			795.320	am	(P-2092; A-11612)
			795.330	am	(P-2092; A-11612)
			795.340	am	(P-2092; A-11612)
			795.350	am	(P-2092; A-11612)
			795.360	am	(P-2092; A-11612)
			795.370	am	(P-2092; A-11612)
			795.380	am	(P-2092; A-11612)
			795.390	am	(P-2092; A-11612)
			795.400	am	(P-2092; A-11612)
			795.410	am	(P-2092; A-11612)
			795.420	am	(P-2092; A-11612)
			795.430	am	(P-2092; A-11612)
			795.440	am	(P-2092; A-11612)
			795.450	am	(P-2092; A-11612)
			795.460	am	(P-2092; A-11612)
			795.470	am	(P-2092; A-11612)
			795.480	am	(P-2092; A-11612)
			795.490	am	(P-2092; A-11612)
			795.500	am	(P-2092; A-11612)
			795.510	am	(P-2092; A-11612)
			795.520	am	(P-2092; A-11612)
			795.530	am	(P-2092; A-11612)
			795.540	am	(P-2092; A-11612)
			795.550	am	(P-2092; A-11612)
			795.560	am	(P-2092; A-11612)
			795.570	am	(P-2092; A-11612)
			795.580	am	(P-2092; A-11612)
			795.590	am	(P-2092; A-11612)
			795.600	am	(P-2092; A-11612)
			795.610	am	(P-2092; A-11612)
			795.620	am	(P-2092; A-11612)
			795.630	am	(P-2092; A-11612)
			795.640	am	(P-2092; A-11612)
			795.650	am	(P-2092; A-11612)
			795.660	am	(P-2092; A-11612)
			795.670	am	(P-2092; A-11612)
			795.680	am	(P-2092; A-11612)
			795.690	am	(P-2092; A-11612)
			795.700	am	(P-2092; A-11612)
			795.710	am	(P-2092; A-11612)
			795.720	am	(P-2092; A-11612)
			795.730	am	(P-2092; A-11612)
			795.740	am	(P-2092; A-11612)
			795.750	am	(P-2092; A-11612)
			795.760	am	(P-2092; A-11612)
			795.770	am	(P-2092; A-11612)
			795.780	am	(P-2092; A-11612)
			795.790	am	(P-2092; A-11612)
			795.800	am	(P-2092; A-11612)
			795.810	am	(P-2092; A-11612)
			795.820	am	(P-2092; A-11612)
			795.830	am	(P-2092; A-11612)
			795.840	am	(P-2092; A-11612)
			795.850	am	(P-2092; A-11612)
			795.860	am	(P-2092; A-11612)
			795.870	am	(P-2092; A-11612)
			795.880	am	(P-2092; A-11612)
			795.890	am	(P-2092; A-11612)
			795.900	am	(P-2092; A-11612)
			795.910	am	(P-2092; A-11612)
			795.920	am	(P-2092; A-11612)
			795.930	am	(P-2092; A-11612)
			795.940	am	(P-2092; A-11612)
			795.950	am	(P-2092; A-11612)
			795.960	am	(P-2092; A-11612)
			795.970	am	(P-2092; A-11612)
			795.980	am	(P-2092; A-11612)
			795.990	am	(P-2092; A-11612)
			796.000	am	(P-2092; A-11612)
			796.010	am	(P-2092; A-11612)
			796.020	am	(P-2092; A-11612)
			796.030	am	(P-2092; A-11612)
			796.040	am	(P-2092; A-11612)
			796.050	am	(P-2092; A-11612)
			796.060	am	(P-2092; A-11612)
			796.070	am	(P-2092; A-11612)
			796.080	am	(P-2092; A-11612)
			796.090	am	(P-2092; A-11612)
			796.100	am	(P-2092; A-11612)
			796.110	am	(P-2092; A-11612)
			796.120	am	(P-2092; A-11612)
			796.130	am	(P-2092; A-11612)
			796.140	am	(P-2092; A-11612)
			796.150	am	(P-2092; A-11612)
			796.160	am	(P-2092; A-11612)
			796.170	am	(P-2092; A-11612)
			796.180	am	(P-2092; A-11612)
			796.190	am	(P-2092; A-11612)
			796.200	am	(P-2092; A-11612)
			796.210	am	(P-2092; A-11612)
			796.220	am	(P-2092; A-11612)
			796.230	am	(P-2092; A-11612)
			796.240	am	(P-2092; A-11612)
			796.250	am	(P-2092; A-11612)
			796.260	am	(P-2092; A-11612)
			796.270	am	(P-2092; A-11612)
			796.280	am	(P-2092; A-11612)
			796.290	am	(P-2092; A-11612)
			796.300	am	(P-2092; A-11612)
			796.310	am	(P-2092; A-11612)
			796.320	am	(P-2092; A-11612)
			796.330	am	(P-2092; A-11612)
			796.340	am	(P-2092; A-11612)
			796.350	am	(P-2092; A-11612)
			796.360	am	(P-2092; A-11612)
			796.370	am	(P-2092; A-11612)
			796.380	am	(P-2092; A-11612)
			796.390	am	(P-2092; A-11612)
			796.400	am	(P-2092; A-11612)
			796.410	am	(P-2092; A-11612)
			796.420	am	(P-2092; A-11612)
			796.430	am	(P-2092; A-11612)
			796.440	am	(P-2092; A-11612)
			796.450	am	(P-2092; A-11612)
			796.460	am	(P-2092; A-11612)
			796.470	am	(P-2092; A-11612)
			796.480	am	(P-2092; A-11612)
			796.490	am	(P-2092; A-11612)
			796.500	am	(P-2092; A-11612)
			796.510	am	(P-2092; A-11612)
			796.520	am	(P-2092; A-11612)
			796.530	am	(P-2092; A-11612)
			796.540	am	(P-2092; A-11612)
			796.550	am	(P-2092; A-11612)
			796.560	am	(P-2092; A-11612)
			796.570	am	(P-2092; A-11612)
			796.580	am	(P-2092; A-11612)
			796.590	am	(P-2092; A-11612)
			796.600	am	(P-2092; A-11612)
			796.610	am	(P-2092; A-11612)
			796.620	am	(P-2092; A-11612)
			796.630	am	(P-2092; A-11612)
			796.640	am	(P-2092; A-11612)
			796.650	am	(P-2092; A-11612)
			796.660	am	(P-2092; A-11612)
			796.670	am	(P-2092; A-11612)
			796.680	am	(P-2092; A-11612)
			796.690	am	(P-2092; A-11612)
			796.700	am	(P-2092; A-11612)
			796.710	am	(P-2092; A-11612)
			796.720	am	(P-2092; A-11612)
			796.730	am	(P-2092; A-11612)
			796.740	am	(P-2092; A-11612)
			796.750	am	(P-2092; A-11612)
			796.760	am	(P-2092; A-11612)
			796.770	am	(P-2092; A-11612)
			796.780	am	(P-2092; A-11612)
			796.790	am	(P-2092; A-11612)
			796.800	am	(P-2092; A-11612)
			796.810	am	(P-2092; A-11612)
			796.820	am	(P-2092; A-11612)
			796.830	am	(P-2092; A-11612)
			796.840	am	(P-2092; A-11612)
			796.850	am	(P-2092; A-11612)
			796.860	am	(P-2092; A-11612)
			796.870	am	(P-2092; A-11612)
			796.880	am	(P-2092; A-11612)
			796.890	am	(P-2092; A-11612)
			796.900	am	(P-2092; A-11612)
			796.910	am	(P-2092; A-11612)
			796.920	am	(P-2092; A-11612)
			796.930	am	(P-2092; A-11612)
			796.940	am	(P-2092; A-11612)
			796.950	am	(P-2092; A-11612)
			796.960	am	(P-2092; A-11612)
			796.970	am	(P-2092; A-11612)
			796.980	am	(P-2092; A-11612)
			796.990	am	(P-2092; A-11612)
			797.000	am	(P-2092; A-11612)
			797.010	am	(P-2092; A-11612)
			797.0		

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840.115 am	(P-4329)	890.230 n (P-18479)
840.210 am	(P-4329)	890.230 r (P-18236)
840.215 am	(P-4329)	890.240 r (P-18236)
840.305 am	(P-4329)	890.250 r (P-18236)
840.310 am	(P-4329)	890.260 r (P-18236)
840.Ap.B	(P-4329)	890.270 r (P-18236)
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Ex.B	(P-4329)	890.300 r (P-18236)
Ex.B	(P-4329)	890.310 r (P-18236)
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890.620	r	890.930	r
890.620	n	890.930	n
890.630	r	890.1010	r
890.630	n	890.1010	n
890.640	r	890.1020	r
890.640	n	890.1020	n
890.650	r	890.1030	r
890.650	n	890.1030	n
890.660	r	890.1040	r
890.660	n	890.1040	n
890.670	r	890.1050	r
890.670	n	890.1050	n
890.680	r	890.1060	r
890.680	n	890.1060	n
890.690	r	890.1070	r
890.690	n	890.1070	n
890.700	r	890.1080	r
890.700	n	890.1080	n
890.710	r	890.1090	r
890.710	n	890.1090	n
890.720	r	890.1100	r
890.720	n	890.1100	n
890.730	r	890.1110	r
890.730	n	890.1110	n
890.740	r	890.1120	r
890.740	n	890.1120	n
890.750	r	890.1130	r
890.750	n	890.1130	n
890.760	r	890.1140	r
890.760	n	890.1140	n
890.770	r	890.1150	r
890.770	n	890.1150	n
890.780	r	890.1160	r
890.780	n	890.1160	n
890.790	r	890.1170	r
890.790	n	890.1170	n
890.800	r	890.1180	r
890.800	n	890.1180	n
890.810	r	890.1190	r
890.810	n	890.1190	n
890.820	r	890.1200	r
890.820	n	890.1200	n
890.830	r	890.1210	r
890.830	n	890.1210	n
890.840	r	890.1220	r
890.840	n	890.1220	n
890.850	r	890.1230	r
890.850	n	890.1230	n
890.860	r	890.1240	r
890.860	n	890.1240	n
890.870	r	890.1310	r
890.870	n	890.1310	n
890.880	r	890.1320	r
890.880	n	890.1320	n
890.890	r	890.1330	r
890.890	n	890.1330	n
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890.900	n		
890.910	r		
890.910	n		

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890.1350	r	890.1710	r
890.1350	n	890.1710	n
890.1360	r	890.1720	r
890.1360	n	890.1720	n
890.1370	r	890.1730	r
890.1370	n	890.1730	n
890.1380	r	890.1740	r
890.1380	n	890.1740	n
890.1410	r	890.1750	r
890.1410	n	890.1750	n
890.1420	r	890.1760	r
890.1420	n	890.1760	n
890.1430	r	890.1770	r
890.1430	n	890.1770	n
890.1440	r	890.1780	r
890.1440	n	890.1780	n
890.1450	r	890.1790	r
890.1450	n	890.1790	n
890.1460	r	890.1800	r
890.1460	n	890.1800	n
890.1470	r	890.1910	r
890.1470	n	890.1910	n
890.1480	r	890.1920	r
890.1480	n	890.1920	n
890.1490	r	890.1930	r
890.1490	n	890.1930	n
890.1510	r	890.1940	r
890.1510	n	890.1940	n
890.1520	r	890.1950	r
890.1520	n	890.1950	n
890.1530	r	890.1960	r
890.1530	n	890.1960	n
890.1540	r	890.1970	r
890.1540	n	890.1970	n
890.1550	r	890.1980	r
890.1550	n	890.1980	n
890.1560	r	890.2000	r
890.1560	n	890.2000	n
890.1570	r	890.2010	r
890.1570	n	890.2010	n
890.1580	r	890.2020	r
890.1580	n	890.2020	n
890.1590	r	890.2030	r
890.1590	n	890.2030	n
890.1600	r	890.2040	r
890.1600	n	890.2040	n
890.1610	r	890.2050	r
890.1610	n	890.2050	n
890.1620	r	890.2060	r
890.1620	n	890.2060	n
890.1630	r	890.2070	r
890.1630	n	890.2070	n
890.1640	r	890.2080	r
890.1640	n	890.2080	n
890.1650	r	890.2090	r
890.1650	n	890.2090	n
		890.2100	r
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		890.2120	r
		890.2120	n
		890.2210	r
		890.2210	n
		890.2220	r
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890.2260	r	(P-18236)	.IL.B	n	(P-18479)
890.2270	r	(P-18236)	.IL.C	n	(P-18479)
890.2280	r	(P-18236)	.IL.D	n	(P-18479)
890.2290	r	(P-18236)	.IL.E	n	(P-18479)
890.3010	r	(P-18236)	.IL.F	n	(P-18479)
890.3020	r	(P-18236)	890.Ap.G	n	(P-18479)
890.3030	r	(P-18236)	.IL.A	n	(P-18479)
890.3040	r	(P-18236)	.IL.B	n	(P-18479)
890.3050	r	(P-18236)	.IL.C	n	(P-18479)
890.3060	r	(P-18236)	.IL.D	n	(P-18479)
890.3070	r	(P-18236)	.IL.E	n	(P-18479)
890.3080	r	(P-18236)	.IL.F	n	(P-18479)
890.3090	r	(P-18236)	890.Ap.H	n	(P-18479)
890.4000	r	(P-18236)	.IL.A	n	(P-18479)
890.Ap.A	r	(P-18236)	.IL.B	n	(P-18479)
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.Tb.A2	n	(P-18479)	.IL.F	n	(P-18479)
.Tb.A3	n	(P-18479)	890.Ap.I	n	(P-18479)
.Tb.A4	n	(P-18479)	.IL.A	n	(P-18479)
.Tb.A5	n	(P-18479)	.IL.B	n	(P-18479)
.Tb.A6	n	(P-18479)	.IL.C	n	(P-18479)
.Tb.A7	n	(P-18479)	.IL.D	n	(P-18479)
.Tb.A	n	(P-18479)	.IL.E	n	(P-18479)
.Tb.B	n	(P-18479)	.IL.F	n	(P-18479)
.Tb.C	n	(P-18479)	.IL.G	n	(P-18479)
.Tb.D	n	(P-18479)	.IL.H	n	(P-18479)
.Tb.E	n	(P-18479)	.IL.I	n	(P-18479)
.Tb.F	n	(P-18479)	.IL.J	n	(P-18479)
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.Tb.H	n	(P-18479)	.IL.L	n	(P-18479)
.Tb.I	n	(P-18479)	.IL.M	n	(P-18479)
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.Tb.K	n	(P-18479)	.IL.O	n	(P-18479)
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.Tb.C r (P-18236)
.Tb.D r (P-18236)
.Tb.E r (P-18236)
.Tb.F r (P-18236)
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900.30 am (P-10870)
900.40 am (P-10870)
900.50 am (P-10870)
900.60 am (P-10870)
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900.Tb.E n (P-10870)
900.Tb.F n (P-10870)
900.Tb.G n (P-10870)
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900.Tb.I n (P-10870)
900.Ex.A n (P-10870)
900.Ex.B n (P-10870)
900.Ex.C n (P-10870)
900.Ex.D n (P-10870)
905.15 am (P-8128)
905.100 am (P-8128)
915.10 am (P-10989)
915.20 am (P-10989)
915.40 n (P-10989)
915.50 n (P-10989)
1100.70 am (P-15255/91; A-16074)
1100.220 am (P-15255/91; A-16074)
1100.330 am (P-15255/91; A-16074)
1100.340 am (P-15255/91; A-16074)
1100.350 am (P-15255/91; A-16074)
1100.410 am (P-15255/91; A-16074)
1100.420 am (P-15255/91; A-16074)
1100.430 n (P-15255/91; A-16074)
1100.510 am (P-15255/91; A-16074)
1100.520 am (P-15255/91; A-16074)
1100.530 am (P-15255/91; A-16074)
1100.540 am (P-15255/91; A-16074)
1100.550 am (P-15255/91; A-16074)
1100.560 am (P-15255/91; A-16074)
1100.570 am (P-15255/91; A-16074)
1100.580 am (P-15255/91; A-16074)
1100.590 am (P-15255/91; A-16074)
1100.610 am (P-15255/91; A-16074)
1100.630 am (P-15255/91; A-16074)
1100.660 am (P-15255/91; A-16074)
1100.670 am (P-15255/91; A-16074)
1100.720 n (P-15255/91; A-16074)
1100.730 n (P-15255/91; A-16074)
1110.20 r (P-15299/91; A-16108)
1110.30 am (P-15299/91; A-16108)
1110.40 am (P-15299/91; A-16108)
1110.55 am (P-15299/91; A-16108)
1110.230 am (P-15299/91; A-16108)
1110.240 n (P-15299/91; A-16108)
1110.320 am (P-15299/91; A-16108)
1110.420 am (P-15299/91; A-16108)
1110.530 am (P-15299/91; A-16108)
1110.630 am (P-15299/91; A-16108)
1110.730 am (P-15299/91; A-16108)
1110.830 am (P-15299/91; A-16108)
1110.910 am (P-15299/91; A-16108)
1110.920 am (P-15299/91; A-16108)
1110.930 am (P-15299/91; A-16108)
1110.1030 am (P-15299/91; A-16108)
1110.1210 am (P-15299/91; A-16108)
1110.1220 am (P-15299/91; A-16108)
1110.1230 am (P-15299/91; A-16108)
1110.1410 am (P-15299/91; A-16108)
1110.1420 am (P-15299/91; A-16108)
1110.1430 am (P-15299/91; A-16108)
1110.1730 am (P-15299/91; A-16108)
1110.1830 am (P-15299/91; A-16108)
1110.2030 am (P-15299/91; A-16108)
1110.2310 am (P-15299/91; A-16108)
1110.2320 am (P-15299/91; A-16108)
1110.2330 am (P-15299/91; A-16108)
1110.2410 n (P-15299/91; A-16108)
1110.2420 n (P-15299/91; A-16108)
1110.2430 n (P-15299/91; A-16108)
1110.30 am (P-15299/91; A-16108)
1110.60 n (E-13159) (P-15328)
1110.235 n (E-13159) (P-15328)
1120.10 n (E-13132)
1120.20 n (P-5205) (E-13132)
1120.110 n (P-5205) (E-13132)
1120.120 n (P-5205) (E-13132)

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TITLE 77 (CONT'D)	2030.30	n	(P-9083/91; A-2457)	TITLE 77 (CONT'D)	2030.1120	r	(P-9153/91; A-2530)
1120.130	2030.30	r	(P-9153/91; A-2530)	2030.550	n		(P-9083/91; A-2457)
1120.210	2030.40	n	(P-9083/91; A-2457)	2030.610	r		(P-9153/91; A-2530)
1120.310	2030.40	n	(P-9153/91; A-2530)	2030.620	n		(P-9083/91; A-2457)
1120.310	2030.50	r	(P-9153/91; A-2530)	2030.620	n		(P-9153/91; A-2530)
1120.4p.A	2030.100	n	(P-9083/91; A-2457)	2030.620	n		(P-9083/91; A-2457)
1120.4b.H	2030.105	n	(P-9083/91; A-2457)	2030.630	r		(P-9153/91; A-2530)
1130.140	2030.107	n	(P-9083/91; A-2457)	2030.640	r		(P-9153/91; A-2530)
1130.220	2030.110	r	(P-9153/91; A-2530)	2030.710	r		(P-9153/91; A-2530)
1130.410	2030.110	n	(P-9083/91; A-2457)	2030.710	n		(P-9083/91; A-2457)
1130.510	2030.115	n	(P-9083/91; A-2457)	2030.720	r		(P-9153/91; A-2530)
1130.620	2030.120	r	(P-9153/91; A-2530)	2030.720	n		(P-9083/91; A-2457)
1130.630	2030.120	n	(P-9153/91; A-2530)	2030.730	r		(P-9153/91; A-2530)
1130.640	2030.130	r	(P-9083/91; A-2457)	2030.730	n		(P-9083/91; A-2457)
1130.710	2030.130	n	(P-9153/91; A-2530)	2030.740	r		(P-9153/91; A-2530)
1130.720	2030.140	n	(P-9083/91; A-2457)	2030.740	n		(P-9083/91; A-2457)
1130.730	2030.150	n	(P-9083/91; A-2457)	2030.750	r		(P-9153/91; A-2530)
1130.740	2030.160	n	(P-9153/91; A-2530)	2030.750	n		(P-9083/91; A-2457)
1130.750	2030.210	r	(P-9083/91; A-2457)	2030.760	r		(P-9153/91; A-2530)
1130.760	2030.210	n	(P-9153/91; A-2530)	2030.760	n		(P-9083/91; A-2457)
1130.770	2030.220	r	(P-9083/91; A-2457)	2030.810	r		(P-9153/91; A-2530)
1130.780	2030.220	n	(P-9153/91; A-2530)	2030.810	n		(P-9083/91; A-2457)
1190.30	2030.230	r	(P-9083/91; A-2457)	2030.820	r		(P-9153/91; A-2530)
1230.10	2030.230	n	(P-9153/91; A-2530)	2030.820	n		(P-9083/91; A-2457)
1230.20	2030.310	r	(P-9083/91; A-2457)	2030.830	r		(P-9153/91; A-2530)
1230.30	2030.310	n	(P-9153/91; A-2530)	2030.830	n		(P-9083/91; A-2457)
1230.110	2030.320	r	(P-9083/91; A-2457)	2030.840	r		(P-9153/91; A-2530)
1230.120	2030.320	n	(P-9153/91; A-2530)	2030.850	n		(P-9083/91; A-2457)
1230.210	2030.320	r	(P-9083/91; A-2457)	2030.850	n		(P-9153/91; A-2530)
1230.220	2030.330	r	(P-9153/91; A-2530)	2030.910	r		(P-9083/91; A-2457)
1230.230	2030.330	n	(P-9083/91; A-2457)	2030.920	r		(P-9153/91; A-2530)
1230.240	2030.340	r	(P-9153/91; A-2530)	2030.930	r		(P-9083/91; A-2457)
1230.250	2030.340	n	(P-9083/91; A-2457)	2030.940	r		(P-9153/91; A-2530)
1230.260	2030.350	r	(P-9153/91; A-2530)	2030.950	r		(P-9083/91; A-2457)
1230.310	2030.350	n	(P-9083/91; A-2457)	2030.960	r		(P-9153/91; A-2530)
1230.320	2030.360	n	(P-9153/91; A-2530)	2030.970	r		(P-9083/91; A-2457)
1230.410	2030.410	r	(P-9083/91; A-2457)	2030.980	r		(P-9153/91; A-2530)
1230.420	2030.410	n	(P-9153/91; A-2530)	2030.980	n		(P-9083/91; A-2457)
1230.4b.A	2030.420	r	(P-9083/91; A-2457)	2030.1010	r		(P-9153/91; A-2530)
1230.4b.B	2030.420	n	(P-9153/91; A-2530)	2030.1010	n		(P-9083/91; A-2457)
1240.10	2030.430	r	(P-9083/91; A-2457)	2030.1020	r		(P-9153/91; A-2530)
1240.20	2030.430	n	(P-9153/91; A-2530)	2030.1020	n		(P-9083/91; A-2457)
1240.30	2030.440	r	(P-9083/91; A-2457)	2030.1030	r		(P-9153/91; A-2530)
1240.40	2030.440	n	(P-9153/91; A-2530)	2030.1030	n		(P-9083/91; A-2457)
1240.50	2030.450	r	(P-9083/91; A-2457)	2030.1040	r		(P-9153/91; A-2530)
1240.60	2030.450	n	(P-9153/91; A-2530)	2030.1040	n		(P-9083/91; A-2457)
1240.70	2030.510	r	(P-9083/91; A-2457)	2030.1050	r		(P-9153/91; A-2530)
1240.80	2030.510	n	(P-9153/91; A-2530)	2030.1050	n		(P-9083/91; A-2457)
1240.90	2030.520	r	(P-9083/91; A-2457)	2030.1070	r		(P-9153/91; A-2530)
2030.10	2030.520	n	(P-9153/91; A-2530)	2030.1080	n		(P-9083/91; A-2457)
2030.20	2030.530	r	(P-9083/91; A-2457)	2030.1090	r		(P-9153/91; A-2530)
2030.30	2030.540	n	(P-9153/91; A-2530)	2030.1110	r		(P-9083/91; A-2457)
2030.20	2030.540	n		2030.1110	n		

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2110.520	755.520	(P-12064/91; A-13801)	n	435.160	(P-6777; A-14702)	am
2110.610	755.525	(P-12064/91; A-13801)	n	460.101	(P-15417/91; A-4876)	am
2120.30	755.525	(P-12074/91; A-13811)	n	460.110	(P-15417/91; A-4876)	am
2120.210	755.530	(P-12074/91; A-13811)	n	480.101	(P-15422/91; A-3578)	am
2120.220	755.530	(P-12074/91; A-13811)	n	480.110	(P-16913/91; A-5988)	am
2120.310	755.530	(P-12074/91; A-13811)	n	490.20	(P-16913/91; A-5988)	am
2120.440	755.530	(P-12074/91; A-13811)	n	490.30	(P-16913/91; A-5988)	am
2120.510	755.530	(P-12074/91; A-13811)	n	490.40	(P-16913/91; A-5988)	am
2120.520	755.530	(P-12074/91; A-13811)	n	490.50	(P-16913/91; A-5988)	am
2120.610	755.530	(P-12074/91; A-13811)	n	490.60	(P-16913/91; A-5988)	am
2650.10	755.530	(P-3235; A-11438)	n	490.70	(P-16913/91; A-5988)	am
2650.25	755.530	(P-3235; A-11438)	n	490.80	(P-16913/91; A-5988)	am
2800.410	755.530	(P-7079; A-13823)	n	490.90	(P-16913/91; A-5988)	am
2800.650	755.530	(P-15199/91; A-4831)	n	490.100	(P-16913/91; A-5988)	am
TITLE 83						
110.10	756.10	(P-18018/91; A-7654)	r	490.110	(P-16913/91; A-5988)	am
110.30	756.10	(P-18018/91; A-7654)	r	490.120	(P-16913/91; A-5988)	am
200.715	756.100	(P-1936; W-7737)	n	490.130	(P-16913/91; A-5988)	am
255.20	756.110	(P-13703)	am	490.140	(P-16913/91; A-5988)	am
275.20	756.115	(P-8269)	am	490.150	(P-16913/91; A-5988)	am
280.100	756.120	(P-9801/91; A-11023)	am	490.160	(P-16913/91; A-5988)	am
280.138	756.200	(P-12810)	am	490.170	(P-16913/91; A-5988)	am
305.20	756.210	(P-16538/91; A-6180)	am	490.180	(P-16913/91; A-5988)	am
410.360	756.220	(P-11899/91; A-2544)	r	490.190	(P-16913/91; A-5988)	am
440.200	756.300	(P-6533; A-16577)	am	510.101	(P-16932/91; A-5990)	am
440.700	757.10	(P-6533; A-16577)	am	510.110	(P-16932/91; A-5990)	am
445.40	757.10	(P-11025/91; A-2535)	am	510.115	(P-16932/91; A-5990)	am
445.50	757.10	(P-11025/91; A-2535)	am	510.131	(P-16932/91; A-5990)	am
445.70	757.105	(P-11025/91; A-2535)	am	510.145	(P-16932/91; A-5990)	am
500.335	757.110	(P-11905/91; A-2550)	r	535.101	(P-15340) (E-15577)	n
535.100	757.115	(P-6538; A-16582)	am	535.105	(P-15340) (E-15577)	n
745.10	757.120	(P-10513)	am	535.110	(P-15340) (E-15577)	n
745.15	757.125	(P-10513)	am	535.115	(P-15340) (E-15577)	n
745.20	757.130	(P-10513)	am	535.120	(P-15340) (E-15577)	n
745.30	757.200	(P-10513)	am	535.125	(P-15340) (E-15577)	n
745.110	757.205	(P-10513)	am	535.135	(P-15340) (E-15577)	n
745.200	757.210	(P-10513)	am	535.140	(P-15340) (E-15577)	n
745.210	757.215	(P-10513)	am	535.145	(P-15340) (E-15577)	n
745.220	757.220	(P-10513)	am	535.150	(P-15340) (E-15577)	n
745.221	757.225	(P-10513)	am	3000.100	(P-3802; A-13310)	am
745.225	757.230	(P-10513)	am	3000.101	(P-19681)	n
745.300	757.235	(P-10513)	am	3000.110	(P-19681)	am
755.10	757.240	(P-16709)	am	3000.115	(P-19681)	am
755.105	757.245	(P-16709)	am	3000.140	(P-19681)	am
755.500	757.300	(P-16709)	n	3000.141	(P-19681)	n
755.505	757.305	(P-16709)	n	3000.155	(P-19681)	am
755.510	757.310	(P-16709)	n			

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114.420	am	(P-15008/91; A-3512)	120.281	r	(P-12137/91; A-139)
		(P-15008)	120.282	r	(P-12137/91; A-139)
114.430	am	(P-15287)	120.283	r	(P-12137/91; A-139)
114.440	n	(P-14538) (E-14769)	120.284	r	(P-12137/91; A-139)
115.10	am	(P-17897/91; A-10291)	120.285	r	(P-12137/91; A-139)
		(P-17066)	120.290	r	(P-12137/91; A-139)
115.30	am	(P-17897/91; A-10291)	120.295	r	(P-12137/91; A-139)
115.34	am	(P-17897/91; A-10291)	120.319	am	(P-12137/91; A-139)
115.40	am	(P-17897/91; A-10291)	120.320	am	(P-12137/91; A-139)
116.400	am	(P-13764) (E-13961)	120.321	am	(P-12137/91; A-139)
116.500	am	(P-16623/91; A-5350)	120.322	am	(P-12137/91; A-139)
		(P-13764) (E-13961)	120.323	am	(P-12137/91; A-139)
116.520	am	(P-16623/91; A-5350)	120.382	am	(P-16625/91; A-11582)
116.520	r	(P-13764) (E-13961)	120.384	am	(P-7761; A-17290)
117.10	am	(P-8938; A-16644)	120.385	r	(P-14544)
118.200	am	(P-17040/91; A-11607)	120.390	am	(P-16625/91; A-11582)
120.11	am	(P-16625/91; A-11582)	120.391	am	(P-13385)
120.31	am	(P-16625/91; A-11582)	121.23	r	(P-15813) (E-16221)
120.50	r	(P-12137/91; A-139)	121.24	r	(P-15813) (E-16221)
120.60	am	(P-16625/91; A-11582)	121.25	am	(P-8898) (E-16221)
120.64	am	(P-16625/91; A-11582)	121.26	r	(P-15813) (E-16221)
120.80	am	(P-16856/91; A-10034)	121.27	r	(P-15813) (E-16221)
120.200	n	(P-12137/91; A-139)	121.28	r	(P-15813) (E-16221)
120.208	r	(P-12137/91; A-139)	121.29	r	(P-15813) (E-16221)
120.210	r	(P-12137/91; A-139)	121.34	am	(P-8039; A-16624)
120.211	r	(P-12137/91; A-139)	121.41	am	(P-13385)
120.212	r	(P-12137/91; A-139)	121.58	am	(P-2420; A-10011)
120.215	r	(P-12137/91; A-139)	121.59	am	(P-13385)
120.217	r	(P-12137/91; A-139)	121.61	am	(PP-16345)
120.218	r	(P-12137/91; A-139)	121.63	am	(E-757) (P-6708)
120.224	r	(P-12137/91; A-139)			(P-18086; A-10011)
120.225	r	(P-12137/91; A-139)			(P-6708; A-13900)
120.230	r	(P-12137/91; A-139)			(PP-16345)
120.235	r	(P-12137/91; A-139)	121.72	am	(P-2420; A-10011)
120.236	r	(P-12137/91; A-139)	121.73	am	(P-2420; A-10011)
120.240	r	(P-12137/91; A-139)	121.76	n	(P-13385)
120.245	r	(P-12137/91; A-139)	121.91	am	(P-14186/91; A-10011)
120.250	r	(P-12137/91; A-139)	121.94	am	(P-14999/91; A-10011)
120.255	r	(P-12137/91; A-139)	121.160	n	(P-15813) (E-16221)
120.260	r	(P-12137/91; A-139)	121.162	n	(P-15813) (E-16221)
120.262	r	(P-12137/91; A-139)	121.164	n	(P-15813) (E-16221)
120.270	r	(P-12137/91; A-139)	121.166	n	(P-15813) (E-16221)
120.271	r	(P-12137/91; A-139)	121.170	n	(P-15813) (E-16221)
120.272	r	(P-12137/91; A-139)	121.172	n	(P-15813) (E-16221)
120.273	r	(P-12137/91; A-139)	121.174	n	(P-15813) (E-16221)
120.275	r	(P-12137/91; A-139)	121.176	n	(P-15813) (E-16221)
120.276	r	(P-12137/91; A-139)	121.178	n	(P-15813) (E-16221)
			121.180	n	(P-15813) (E-16221)

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121.182	n	(P-15813) (E-16221)	140.527	r	(P-472; W-14477)
121.184	n	(P-15813) (E-16221)	140.528	r	(P-9393; A-19146)
121.186	n	(P-15813) (E-16221)			(P-472; W-14477)
121.188	n	(P-15813) (E-16221)	140.529	r	(P-9393; A-19146)
121.190	n	(P-15813) (E-16221)			(P-472; W-14477)
130.200	am	(P-6931; A-13292)	140.530	am	(P-9393; A-19146)
140.2	am	(P-17171/91; A-174)	140.538	am	(P-15933/91; A-6408)
		(P-6936; A-17302)			(P-15933/91; A-6408)
140.5	am	(P-17171/91; A-174)	140.539	am	(P-13211) (E-13337)
140.11	am	(P-6949/91; A-3552)			(P-472; A-11174)
140.12	am	(P-12116; A-19146)			(P-19665)
140.13	am	(P-4708; A-19146)	140.543	am	(P-3045; A-12186)
140.14	am	(P-4708; A-19146)	140.552	am	(P-15933/91; A-6408)
140.15	am	(P-7775; A-17302)	140.560	am	(P-5585/91; A-7017)
140.16	am	(P-4708; A-19146)			(P-12838; A-19146)
140.17	am	(P-8047; A-17302)	140.561	am	(P-12838; A-19146)
140.19	am	(P-4708; A-19146)	140.562	am	(P-15933/91; A-6408)
140.27	am	(P-8047; A-17302)	140.565	n	(P-1492; A-12186)
140.31	n	(P-4708; A-19146)	140.566	am	(P-4708; A-15561)
		(P-65; A-10050) (E-300)	140.569	am	(P-15933/91; A-6408;
140.32	n	(P-4708; A-19146)			RQ-9138; EC-11348)
140.33	n	(P-4708; A-19146)	140.570	am	(P-12838; A-19146)
140.80	n	(P-15019) (E-15109)	140.571	am	(P-12838; A-19146)
140.82	n	(P-15019) (E-15109)	140.572	am	(P-12838; A-19146)
140.84	n	(P-15019) (E-15109)	140.573	am	(P-12838; A-19146)
140.94	n	(P-15933/91; A-6408)	140.574	am	(P-12838; A-19146)
140.95	n	(P-15019) (E-15109)	140.579	am	(P-3409; A-12186)
140.95	am	(P-6719; A-17302)			(P-12838; A-19146)
140.413	am	(P-10145; W-14476)	140.580	r	(P-12838; A-19146)
140.420	am	(P-7576; A-17302)	140.581	r	(P-12838; A-19146)
140.421	am	(P-10145; W-14476)	140.583	am	(P-15933/91; A-6408)
		(P-10145; W-14476)	140.600	n	(P-472; W-14477)
140.440	am	(P-12171/91; A-4006)	140.602	n	(P-472; W-14477)
140.441	am	(P-12171/91; A-4006)	140.604	n	(P-472; W-14477)
140.442	am	(P-12171/91; A-4006)	140.606	n	(P-472; W-14477)
140.449	am	(P-12171/91; A-4006)	140.608	n	(P-472; W-14477)
140.469	am	(P-13685/91; A-3552)	140.610	n	(P-472; W-14477)
140.485	am	(P-16495)	140.612	n	(P-472; W-14477)
140.488	am	(P-16495)	140.614	n	(P-472; W-14477)
140.492	am	(P-13397)	140.642	am	(P-17956) (E-18097)
140.511	am	(P-17461)	140.646	am	(P-6949/91; A-18777)
140.512	am	(P-13274/91; A-6849)	140.700	am	(P-7576)
140.513	r	(P-13274/91; A-6849)	140.835	r	(P-15933/91; A-6408)
140.514	am	(P-11555/91; A-4006)	140.835	r	(P-12838; A-19146)
140.525	am	(P-13211) (E-13337)	140.835	r	(P-12838; A-19146)
140.526	r	(P-472; W-14477)	140.835	r	(P-12838; A-19146)
		(P-9393; A-19146)	140.835	r	(P-12838; A-19146)

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141.320	r	(P-12132/91; A-7922)
141.320	r	(P-12132/91; A-7922)
141.360	r	(P-12132/91; A-7922)
141.400	r	(P-12132/91; A-7922)
141.440	r	(P-12132/91; A-7922)
141.480	r	(P-12132/91; A-7922)
141.520	r	(P-12132/91; A-7922)
141.560	r	(P-12132/91; A-7922)
141.600	r	(P-12132/91; A-7922)
141.640	r	(P-12132/91; A-7922)
141.680	r	(P-12132/91; A-7922)
141.720	r	(P-12132/91; A-7922)
141.760	r	(P-12132/91; A-7922)
141.800	r	(P-12132/91; A-7922)
141.840	r	(P-12132/91; A-7922)
141.880	r	(P-12132/91; A-7922)
141.920	r	(P-12132/91; A-7922)
141.960	r	(P-12132/91; A-7922)
141.1000	r	(P-12132/91; A-7922)
141.1040	r	(P-12132/91; A-7922)
141.1080	r	(P-12132/91; A-7922)
141.1120	r	(P-12132/91; A-7922)
141.1125	r	(P-12132/91; A-7922)
141.1160	r	(P-12132/91; A-7922)
141.1200	r	(P-12132/91; A-7922)
141.1240	r	(P-12132/91; A-7922)
141.1280	r	(P-12132/91; A-7922)
141.1320	r	(P-12132/91; A-7922)
141.1360	r	(P-12132/91; A-7922)
141.1400	r	(P-12132/91; A-7922)
141.1480	r	(P-12132/91; A-7922)
141.1500	r	(P-12132/91; A-7922)
141.1520	r	(P-12132/91; A-7922)
141.1560	r	(P-12132/91; A-7922)
141.1600	r	(P-12132/91; A-7922)
141.1640	r	(P-12132/91; A-7922)
141.1680	r	(P-12132/91; A-7922)
141.1720	r	(P-12132/91; A-7922)
141.1760	r	(P-12132/91; A-7922)
141.1800	r	(P-12132/91; A-7922)
141.1840	r	(P-12132/91; A-7922)
141.1880	r	(P-12132/91; A-7922)
141.1920	r	(P-12132/91; A-7922)
141.1960	r	(P-12132/91; A-7922)
141.2000	r	(P-12132/91; A-7922)
141.2040	r	(P-12132/91; A-7922)
141.2080	r	(P-12132/91; A-7922)
141.2120	r	(P-12132/91; A-7922)
141.2160	r	(P-12132/91; A-7922)
141.2200	r	(P-12132/91; A-7922)
141.2240	r	(P-12132/91; A-7922)
141.2280	r	(P-12132/91; A-7922)
141.2320	r	(P-12132/91; A-7922)
141.2360	r	(P-12132/91; A-7922)
141.2400	r	(P-12132/91; A-7922)
141.2440	r	(P-12132/91; A-7922)
141.2480	r	(P-12132/91; A-7922)
141.2520	r	(P-12132/91; A-7922)
141.2560	r	(P-12132/91; A-7922)
141.2600	r	(P-12132/91; A-7922)
141.2640	r	(P-12132/91; A-7922)
141.2680	r	(P-12132/91; A-7922)
141.2720	r	(P-12132/91; A-7922)
141.2760	r	(P-12132/91; A-7922)
141.2800	r	(P-12132/91; A-7922)
141.2840	r	(P-12132/91; A-7922)
141.2880	r	(P-12132/91; A-7922)
141.2920	r	(P-12132/91; A-7922)
141.2960	r	(P-12132/91; A-7922)
141.3000	r	(P-12132/91; A-7922)
141.3040	r	(P-12132/91; A-7922)
141.3080	r	(P-12132/91; A-7922)
141.3120	r	(P-12132/91; A-7922)
141.3160	r	(P-12132/91; A-7922)
141.3200	r	(P-12132/91; A-7922)
141.3240	r	(P-12132/91; A-7922)
141.3280	r	(P-12132/91; A-7922)
141.3320	r	(P-12132/91; A-7922)
141.3360	r	(P-12132/91; A-7922)
141.3400	r	(P-12132/91; A-7922)
141.3440	r	(P-12132/91; A-7922)
141.3480	r	(P-12132/91; A-7922)
141.3520	r	(P-12132/91; A-7922)
141.3560	r	(P-12132/91; A-7922)
141.3600	r	(P-12132/91; A-7922)
141.3640	r	(P-12132/91; A-7922)
141.3680	r	(P-12132/91; A-7922)
141.3720	r	(P-12132/91; A-7922)
141.3760	r	(P-12132/91; A-7922)
141.3800	r	(P-12132/91; A-7922)
141.3840	r	(P-12132/91; A-7922)
141.3880	r	(P-12132/91; A-7922)

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141.4280	r	(P-12132/91; A-7922)	147.Th.G	am	(P-4218; RC-10500; A-14233)
141.4320	r	(P-12132/91; A-7922)	147.Th.L	n	(P-4218; RC-10500; A-14233)
141.4360	r	(P-12132/91; A-7922)	148.20	am	(P-15928/91; A-6255)
141.4440	r	(P-12132/91; A-7922)			(P-11719; A-19873)
141.4480	r	(P-12132/91; A-7922)			(E-11942)
141.4520	r	(P-12132/91; A-7922)	148.25	n	(P-14540) (E-14778)
141.4560	r	(P-12132/91; A-7922)	148.30	am	(P-14540) (E-14778)
141.4600	r	(P-12132/91; A-7922)	148.40	am	(P-15928/91; A-6255)
141.4640	r	(P-12132/91; A-7922)			(P-14540) (E-14778)
141.4680	r	(P-12132/91; A-7922)	148.50	am	(P-14540) (E-14778)
141.4720	r	(P-12132/91; A-7922)	148.60	am	(P-15928/91; A-6255)
141.4760	r	(P-12132/91; A-7922)			(P-14540) (E-14778)
141.4800	r	(P-12132/91; A-7922)	148.70	am	(P-15928/91; A-6255)
144.275	am	(P-15926/91; A-5898)			(P-14540) (E-14778)
144.300	n	(P-7455/91; A-3497)	148.80	am	(P-15928/91; A-6255)
144.325	n	(P-7455/91; A-3497)			(E-11335)
144.350	n	(P-5806; W-14475)	148.82	n	(P-12826)
144.375	n	(P-5806; W-14475)			(P-15928/91; A-6255)
144.400	n	(P-5806; W-14475)	148.90	r	(P-15928/91; A-6255)
144.405	n	(P-5806; W-14475)	148.100	r	(P-15928/91; A-6255)
144.425	n	(P-5806; W-14475)	148.110	r	(P-15928/91; A-6255)
144.450	n	(P-5806; W-14475)	148.120	am	(P-15928/91; A-6255)
147.25	am	(P-4218; RC-10500; A-14233)	148.130	am	(P-14540) (E-14778)
147.50	am	(P-4218; RC-10500; A-14233)			(P-15928/91; A-6255)
147.75	am	(P-4218; RC-10500; A-14233)	148.140	am	(P-14540) (E-14778)
147.100	am	(P-8906; A-17332)			(P-1786) (P-14540)
147.150	am	(P-15940/91; A-6479)	148.150	am	(P-15928/91; A-6255)
147.205	am	(P-13215) (E-13361)			(P-14540) (E-14778)
147.300	am	(P-8906; A-17332)	148.160	am	(P-15928/91; A-6255)
147.305	am	(P-8906; A-17332)			(P-14540) (E-14778)
147.310	am	(P-8906; A-17332)	148.170	am	(P-15928/91; A-6255)
147.315	am	(P-8906; A-17332)			(P-14540) (E-14778)
147.320	am	(P-8906; A-17332)	148.180	am	(P-15928/91; A-6255)
147.325	am	(P-8906; A-17332)			(P-14540) (E-14778)
147.340	am	(P-8906; A-17332)	148.190	am	(P-15928/91; A-6255)
147.345	am	(P-8906; A-17332)			(P-14540) (E-14778)
147.350	am	(P-8906; A-17332)	148.200	am	(P-15928/91; A-6255)
147.Th.A	am	(P-7501/91; A-4035)	148.210	am	(P-15928/91; A-6255)
147.Th.B	am	(P-15940/91; A-6479)			(P-14540) (E-14778)
147.Th.D	am	(P-15940/91; A-6479)	148.220	am	(P-15928/91; A-6255)
147.Th.E	am	(P-4218; RC-10500; A-14233)	148.230	am	(P-15928/91; A-6255)
			148.240	am	(P-14540) (E-14778)
					(P-15928/91; A-6255)
			148.250	am	(P-14540) (E-14778)

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148.260	am	(P-15928/91; A-6255)	160.20	am	(P-806/91; A-1852)
148.270	am	(P-14540) (E-14778)	160.30	am	(P-2406; A-9997)
148.280	am	(P-15928/91; A-6255)	160.77	n	(P-8892)
148.290	am	(P-14540) (E-14778)	230.45	am	(P-3605; A-15401; O-15184; R-15590)
148.300	am	(P-15928/91; A-6255)	230.570	am	(P-3605; A-15401)
148.310	am	(P-14540) (E-14778)	240.400	am	(E-2630) (P-11363; A-18767)
148.320	am	(P-15928/91; A-6255)	240.415	am	(E-11625)
148.400	n	(P-14540) (E-14778)	240.430	am	(E-2630) (P-11363; A-18767)
149.5	am	(P-15928/91; A-6255)	240.435	am	(E-11625)
149.10	n	(P-15931/91; A-6195)	240.451	n	(P-17007/91; M-2930; S-1744; W-2955; M-2943)
149.25	am	(P-14535) (E-14733)	240.655	am	(P-17007/91; M-2930)
149.50	am	(P-15931/91; A-6195)	240.720	am	(E-11625)
149.75	am	(P-14535) (E-14733)	240.725	am	(E-4069; RC-6898)
149.100	am	(P-15931/91; A-6195)	240.726	n	(P-14335/91; A-1140)
149.105	am	(P-14535) (E-14733)	240.727	n	(P-17007/91; M-2930)
149.125	am	(P-15931/91; A-6195)	240.728	n	(E-17398/91; S-1744; W-2955; M-2943)
149.140	n	(P-14535) (E-14733)	240.729	n	(E-2901)
149.150	am	(P-15931/91; A-6195)	240.726	n	(P-11363; A-18767)
149.175	r	(P-14535) (E-14733)	240.726	r	(E-11625)
149.200	r	(P-15931/91; A-6195)	240.727	n	(P-11363; A-18767)
149.205	r	(P-14535) (E-14733)	240.728	n	(E-11625)
149.225	r	(P-15931/91; A-6195)	240.729	n	(P-11363; A-18767)
149.250	r	(P-14535) (E-14733)	240.726	n	(E-11625)
149.275	r	(P-15931/91; A-6195)	240.727	n	(P-11363; A-18767)
149.300	r	(P-14535) (E-14733)	240.728	n	(E-11625)
149.305	r	(P-15931/91; A-6195)	240.729	n	(P-11363; A-18767)
149.325	r	(P-14535) (E-14733)	240.726	n	(E-11625)
150.10	n	(P-15931/91; A-6195)	240.727	n	(P-11363; A-18767)
150.20	n	(E-2258)	240.728	n	(E-11625)
150.30	n	(E-2258)	240.729	n	(P-11363; A-18767)
150.40	n	(E-2258)	240.726	n	(E-11625)
150.50	n	(E-2258)	240.727	n	(P-11363; A-18767)
150.60	n	(E-2258)	240.728	n	(E-11625)
160.5	am	(P-806/91; A-1852)	240.800	am	(E-12615; O-15183; M-16680)
160.10	am	(P-806/91; A-1852)			(E-2901) (P-11363; A-18767) (E-11625)

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240.810	am	(E-2901) (P-11363; A-18767)	305.20	am	(P-5403; A-16552)
240.825	am	(E-11625)	305.20	re	(A-12772)
240.855	am	(E-2901) (P-11363; A-18767)	305.30	am	(P-5403; A-16552)
240.1510	am	(E-11625)	305.30	re	(A-12772)
240.1520	am	(P-15203)	305.40	#	(P-5403; A-16552)
240.1530	am	(P-15203)	305.40	re	(A-12772)
240.1535	am	(P-15203)	305.50	am	(P-5403; A-16552)
240.1540	am	(P-15203)	305.50	re	(A-12772)
240.1545	am	(P-15203)	305.60	am	(P-5403; A-16552)
240.1550	am	(P-15203)	305.60	am	(A-12772)
240.1555	am	(P-15203)	305.70	re	(P-5403; A-16552)
240.1560	am	(P-15203)	305.80	n	(A-12772)
240.1565	am	(P-15203)	305.80	re	(P-5403; A-16552)
240.1570	am	(P-15203)	305.90	#	(A-12772)
240.1575	am	(P-15203)	305.90	re	(P-5403)
240.1580	am	(P-15203)	305.90	re	(A-12772)
240.1590	am	(P-15203)	305.100	#	(P-5403)
240.1600	am	(P-15203)	305.100	re	(A-12772)
240.1605	am	(P-15203)	305.110	#	(P-5403)
240.1610	am	(P-15203)	305.120	#	(A-12772)
240.1620	am	(P-15203)	305.120	re	(P-5403; A-16552)
240.1625	am	(P-15203)	305.130	am	(A-12772)
240.1630	am	(P-15203)	305.130	re	(P-5403; A-16552)
240.1635	am	(P-4087; A-14565)	305.140	#	(A-12772)
240.1640	am	(P-4087; A-14565)	305.140	re	(P-5403)
240.1645	am	(P-4087; A-14565)	309.1	r	(A-12772)
240.1650	am	(P-4087; A-14565)	309.2	r	(P-7982)
240.1655	am	(P-4087; A-14565)	309.3	r	(P-7982)
240.1660	am	(P-4087; C-5083; A-14565)	309.4	r	(P-7982)
240.1661	n	(P-4087; C-5083; A-14565)	309.5	r	(P-7982)
240.1665	am	(P-4087; A-14565)	309.6	r	(P-7982)
240.1800	am	(P-15203)	309.7	r	(P-7982)
240.1850	r	(P-15203)	309.8	r	(P-7982)
240.2020	am	(P-15203)	309.9	r	(P-7982)
240.2050	am	(P-15203)	309.10	r	(P-7982)
300.130	am	(P-14988)	309.11	r	(P-7982)
300.160	am	(P-14988)	309.12	r	(P-7982)
.20	am	(P-7565)	309.13	r	(P-7982)
.390	am	(P-11979)	309.14	r	(P-7982)
304.2	am	(P-7545)	309.15	r	(P-7982)
305.10	#	(P-5403)	309.16	r	(P-7982)
305.10	re	(A-12772)	309.17	r	(P-7982)
			309.18	r	(P-7982)
			309.19	r	(P-7982)
			309.20	r	(P-7982)
			309.21	r	(P-7982)
			309.22	r	(P-7982)
			309.23	r	(P-7982)
			335.100	am	(P-8415/91; A-7633)

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TITLE 89 (CONT'D)			
335.102	am	(P-8415/91; A-7633) (P-12254)	336.120 n
335.200	am	(P-8415/91; A-7633) (P-12254)	336.130 n
335.202	am	(P-8415/91; A-7633) (P-12254)	336.140 n
335.300	am	(P-8415/91; A-7633) (P-12254)	336.150 n
335.	am	(P-8415/91; A-7633) (P-12254)	336.160 n
335.304	am	(P-8415/91; A-7633) (P-12254)	336.170 n
335.306	am	(P-8415/91; A-7633) (P-12254)	337.10 n
335.	am	(P-8415/91; A-7633) (P-12254)	337.20 n
335.308	r	(P-8415/91; A-7633) (P-12254)	337.30 n
335.310	am	(P-8415/91; A-7633) (P-12254)	337.40 n
335.312	am	(P-8415/91; A-7633) (P-12254)	337.50 n
335.314	am	(P-8415/91; A-7633) (P-12254)	337.60 n
335.316	am	(P-8415/91; A-7633) (P-12254)	337.70 n
335.320	am	(P-8415/91; A-7633) (P-12254)	337.80 n
335.326	am	(P-8415/91; A-7633) (P-12254)	337.90 n
335.328	am	(P-8415/91; A-7633) (P-12254)	337.100 n
335.330	am	(P-8415/91; A-7633) (P-12254)	337.110 n
335.332	am	(P-8415/91; A-7633) (P-12254)	337.120 n
335.334	am	(P-8415/91; A-7633) (P-12254)	337.130 n
335.336	am	(P-8415/91; A-7633) (P-12254)	337.140 n
335.338	am	(P-8415/91; A-7633) (P-12254)	337.150 n
335.340	n	(P-8415/91; A-7633) (P-12254)	337.160 n
336.10	n	(P-8415/91; A-7633) (P-12254)	337.170 n
336.20	n	(P-8415/91; A-7633) (P-12254)	337.180 n
336.30	n	(P-8415/91; A-7633) (P-12254)	337.190 n
336.40	n	(P-8415/91; A-7633) (P-12254)	337.200 n
336.50	n	(P-8415/91; A-7633) (P-12254)	337.210 n
336.60	n	(P-8415/91; A-7633) (P-12254)	337.220 n
336.70	n	(P-8415/91; A-7633) (P-12254)	337.230 n
336.80	n	(P-8415/91; A-7633) (P-12254)	337.240 n
336.90	n	(P-8415/91; A-7633) (P-12254)	337.250 n
336.100	n	(P-8415/91; A-7633) (P-12254)	352.Ap.A
336.110	n	(P-8415/91; A-7633) (P-12254)	377.2 am
		(P-8415/91; A-7633) (P-12254)	377.4 am
		(P-8415/91; A-7633) (P-12254)	378.1 r
		(P-8415/91; A-7633) (P-12254)	378.2 r
		(P-8415/91; A-7633) (P-12254)	378.3 r
		(P-8415/91; A-7633) (P-12254)	378.4 r
		(P-8415/91; A-7633) (P-12254)	402.15 am
		(P-8415/91; A-7633) (P-12254)	406.2 am
		(P-8415/91; A-7633) (P-12254)	406.4 am
		(P-8415/91; A-7633) (P-12254)	406.5 am
		(P-8415/91; A-7633) (P-12254)	406.6 am
		(P-8415/91; A-7633) (P-12254)	406.7 am
		(P-8415/91; A-7633) (P-12254)	406.8 am
		(P-8415/91; A-7633) (P-12254)	406.9 am
		(P-8415/91; A-7633) (P-12254)	406.10 am
		(P-8415/91; A-7633) (P-12254)	406.11 am
		(P-8415/91; A-7633) (P-12254)	406.12 am

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843.20	am	(P-15405/91; A-10316)	44.30	am	(P-4807; A-12601)				
843.30	am	(P-15405/91; A-10316)	50.5	r	(P-6139; A-13094)				
843.50	am	(P-15405/91; A-10316)	50.10	r	(P-6139; A-13094)				
843.60	am	(P-15405/91; A-10316)	50.10	n	(P-6153; A-13096)				
843.61	am	(P-15405/91; A-10316)	50.20	r	(P-6139; A-13094)				
843.70	am	(P-15405/91; A-10316)	50.20	n	(P-6153; A-13096)				
843.80	am	(P-15405/91; A-10316)	50.30	r	(P-6139; A-13094)				
843.120	am	(P-15405/91; A-10316)	50.30	n	(P-6153; A-13096)				
843.121	am	(P-15405/91; A-10316)	50.40	r	(P-6139; A-13094)				
843.130	am	(P-15405/91; A-10316)	50.40	n	(P-6153; A-13096)				
843.150	am	(P-15405/91; A-10316)	50.50	r	(P-6139; A-13094)				
843.160	am	(P-15405/91; A-10316)	50.50	n	(P-6153; A-13096)				
843.180	am	(P-15405/91; A-10316)	50.60	r	(P-6139; A-13094)				
845.10	am	(P-11572/91/ A-2615)	50.60	n	(P-6153; A-13096)				
845.20	am	(P-11572/91/ A-2615)	50.70	r	(P-6139; A-13094)				
845.30	am	(P-11572/91/ A-2615)	50.70	n	(P-6153; A-13096)				
845.40	am	(P-11572/91/ A-2615)	50.80	r	(P-6139; A-13094)				
900.310	am	(P-12989/91; A-5311)	50.80	n	(P-6153; A-13096)				
900.321	am	(P-12989/91; A-5311)	50.90	r	(P-6139; A-13094)				
900.322	am	(P-12989/91; A-5311)	50.90	n	(P-6153; A-13096)				
900.330	am	(P-12989/91; A-5311)	50.100	r	(P-6139; A-13094)				
900.331	am	(P-12989/91; A-5311)	50.100	n	(P-6153; A-13096)				
900.342	am	(P-12989/91; A-5311)	50.110	r	(P-6139; A-13094)				
900.343	am	(P-12989/91; A-5311)	50.110	n	(P-6153; A-13096)				
900.345	am	(P-12989/91; A-5311)	50.120	r	(P-6139; A-13094)				
900.348	am	(P-12989/91; A-5311)	50.120	n	(P-6153; A-13096)				
1200.10	am	(P-15354)	50.130	r	(P-6139; A-13094)				
1200.20	am	(P-15354)	50.130	n	(P-6153; A-13096)				
1200.30	am	(P-15354)	50.140	r	(P-6139; A-13094)				
1200.40	am	(P-15354)	50.140	n	(P-6153; A-13096)				
1200.50	am	(P-15354)	50.150	r	(P-6139; A-13094)				
1200.60	am	(P-15354)	50.160	r	(P-6139; A-13094)				
1200.70	am	(P-15354)	50 Ex. A	n	(P-6153; A-13096)				
1200.80	am	(P-15354)	62.30	am	(P-4813; A-12608)				
1200.100	am	(P-15354)	97.10	n	(P-19709/91; P-10475)				
1200.110	am	(P-15354)	97.20	n	(P-19709/91; P-10475)				
1200 Ap.A	am	(P-15354)	97.30	n	(P-19709/91; P-10475)				
1300.110	am	(P-5141/91; A-4819)	97.40	n	(p-19709/91; P-10475)				
1300.120	am	(P-5141/91; A-4819)	97.50	n	(P-19709/91; P-10475)				
1300.130	am	(P-5141/91; A-4819)	97.60	n	(P-19709/91; P-10475)				
1300.200	am	(P-5141/91; A-4819)	97.70	n	(P-19709/91; P-10475)				
1300.205	n	(P-5141/91; A-4819)	97.80	n	(p-19709/91; P-10475)				
1300.210	am	(P-5141/91; A-4819)	97.90	n	(P-19709/91; P-10475)				
TITLE 92			97.100	n	(P-19709/91; P-10475)				
10.30	am	(E-16407)	97.110	n	(P-19709/91; P-10475)				
10.50	am	(E-16407)	97.120	n	(p-19709/91; P-10475)				
10.60	am	(E-16407)	97.130	n	(P-19709/91; P-10475)				
10.70	am	(E-16407)	97.140	n	(P-19709/91; P-10475)				

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171.1000	am	(P-3856; A-12208)		530.101	r
		(P-15995/91; W-2696)		530.102	r
		(P-3856; A-12208)		530.103	r
172.2000	am	(P-16003/91; W-2697)		530.104	r
		(P-3864; A-11851)		530.105	r
172.2215	am	(P-16003/91; W-2697)		530.106	r
		(P-3864; A-11851)		530.107	r
173.3000	am	(P-16008/91; W-2698)		530.108	r
		(P-3869; A-11856)		530.109	r
177.2000	am	(P-15990/91; W-2695)		530.110	n
		(P-3847; A-11843)		530.110	r
178.336.1.1	am	(P-16015/91; W-2699)		530.111	r
		(P-3876; A-11863)		530.112	r
178.336.1.5	am	(P-16015/91; W-2699)		530.113	r
		(P-3876; A-11863)		530.114	r
178.2000	am	(P-16015/91; W-2699)		530.115	r
		(P-3876; A-11863)		530.116	r
179.2000	am	(P-16027/91; W-2700)		530.117	r
		(P-3888; A-11875)		530.118	r
180.2000	am	(P-3851; A-11847)		530.119	r
390.1010	am	(P-7815; A-14435)		530.120	n
390.1020	am	(P-7815; A-14435)		530.120	r
390.2000	am	(P-7815; A-14435)		530.121	r
391.1000	am	(P-7832; A-14715)		530.122	r
391.2000	am	(P-16653/91; A-5362)		530.123	r
		(P-7832; A-14715)		530.130	n
395.2000	am	(P-7805; A-14425)		530.140	n
396.2010	am	(P-7811; A-14431)		530.150	n
440.420	am	(P-13041/91; A-1655)		530.200	n
440.520	am	(P-15835)		530.201	r
440.II.A	am	(P-13041/91; A-1655)		530.202	r
440.II.B	n	(P-13041/91; A-1655)		530.203	r
442.285	am	(P-13072/91; A-1685)		530.210	r
442.435	am	(P-15845)		530.220	n
442.II.A	am	(P-13072/91; A-1685)		530.225	n
442.II.E	n	(P-13072/91; A-1685)		530.230	n
456.50	am	(P-9453; A-16649)		530.240	n
456.60	am	(P-9453; A-16649)		530.250	n
456.70	am	(P-9453; A-16649)		530.260	n
456.80	am	(P-9453; A-16649)		530.270	n
456.90	n	(P-9453; A-16649)		530.275	n
530.10	n	(P-2940/91; A-2193)		530.280	n
530.10	r	(P-2940/91; A-2256)		530.290	n
530.20	n	(P-2940/91; A-2193)		530.300	n
530.20	r	(P-3003/91; A-2256)		530.301	r
530.30	r	(P-2940/91; A-2193)		530.303	r
530.40	n	(P-2940/91; A-2193)		530.310	n
530.60	n	(P-2940/91; A-2193)		530.320	n
		(P-2940/91; A-2193)		530.330	n

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530.401	r	(P-3003/91; A-2256)	700.40	n	(P-17235)	116.40	(P-561; A-7707;
530.402	r	(P-3003/91; A-2256)	700.50	n	(P-17235)	121.10	RQ-10082; EC;10503)
530.403	r	(P-3003/91; A-2256)	700.60	n	(P-17235)		
530.410	n	(P-2940/91; A-2193)	700.70	n	(P-17235)	121.20	(P-561; A-7707)
530.420	n	(P-2940/91; A-2193)	700.80	n	(P-17235)	121.30	(P-561; A-7707)
530.430	n	(P-2940/91; A-2193)	700.90	n	(P-17235)	121.40	(P-561; A-7707)
530.440	n	(P-2940/91; A-2193)	700.100	n	(P-17235)	121.50	(P-561; A-7707)
530.450	n	(P-2940/91; A-2193)	700.110	n	(P-17235)	121.60	(P-561; A-7707)
530.460	n	(P-2940/91; A-2193)	704.10	n	(P-17244)	121.70	(P-561; A-7707)
530.470	n	(P-2940/91; A-2193)	704.20	n	(P-17244)	121.80	(P-561; A-7707)
530.480	n	(P-2940/91; A-2193)	704.30	n	(P-17244)	121.90	(P-561; A-7707)
530.500	n	(P-2940/91; A-2193)	704.40	n	(P-17244)	121.100	(P-561; A-7707)
530.501	r	(P-3003/91; A-2256)	704.50	n	(P-17244)	121.110	(P-561; A-7707)
530.502	r	(P-3003/91; A-2256)	704.60	n	(P-17244)	121.120	(P-561; A-7707)
530.503	r	(P-3003/91; A-2256)	704.70	n	(P-17244)	121.130	(P-561; A-7707)
530.510	n	(P-2940/91; A-2193)	704.80	n	(P-17244)	121.140	(P-561; A-7707)
530.520	n	(P-2940/91; A-2193)	704.90	n	(P-17244)	121.150	(P-561; A-7707)
530.530	n	(P-2940/91; A-2193)	704.100	n	(P-17244)	121.160	(P-561; A-7707)
530.600	n	(P-2940/91; A-2193)	704.110	n	(P-17244)	121.170	(P-561; A-7707)
530.601	r	(P-3003/91; A-2256)	704.120	n	(P-17244)	121.180	(P-561; A-7707)
530.602	r	(P-3003/91; A-2256)	704.130	n	(P-17244)	121.190	(P-561; A-7707)
530.603	r	(P-3003/91; A-2256)	704.140	n	(P-17244)	121.200	(P-561; A-7707)
530.610	n	(P-2940/91; A-2193)	704.150	n	(P-17244)	121.210	(P-561; A-7707)
530.700	n	(P-2940/91; A-2193)	704.160	n	(P-17244)	121.220	(P-561; A-7707)
530.701	r	(P-3003/91; A-2256)	708.70	am	(P-8193/91; A-194)	121.230	(P-561; A-7707)
530.702	r	(P-3003/91; A-2256)	708.70	am	(P-8193/91; A-194)	122.10	(P-2113)
530.710	n	(P-2940/91; A-2193)	787.10	n	(P-17/91; A-2882)	122.20	(P-2113)
530.800	n	(P-2940/91; A-2193)	787.20	n	(P-17/91; A-2882)	122.30	(P-2113)
530.801	r	(P-3003/91; A-2256)	787.30	n	(P-17/91; A-2882)	122.40	(P-2113)
530.802	r	(P-3003/91; A-2256)	787.40	n	(P-17/91; A-2882)	122.50	(P-2113)
530.803	r	(P-3003/91; A-2256)	787.50	n	(P-17/91; A-2882)	122.60	(P-2113)
530.804	r	(P-3003/91; A-2256)	1002.20	am	(P-6790; A-13088)	122.70	(P-2113)
530.810	n	(P-2940/91; A-2193)	1002.45	n	(P-6790; A-13088)		
530.820	n	(P-2940/91; A-2193)	1010.420	am	(P-5240; A-12587)		
530.830	n	(P-2940/91; A-2193)	1030.11	am	(P-1271)		
530.840	n	(P-2940/91; A-2193)	1030.12	am	(E-12228)		
530.900	n	(P-2940/91; A-2193)	1030.30	am	(P-2449; A-18087)		
530.901	r	(P-3003/91; A-2256)	1030.84	am	(P-14198/91; A-2182)		
530.902	r	(P-3003/91; A-2256)	1030.115	am	C-2957		
530.903	r	(P-3003/91; A-2256)	1030.120	am	(P-17229)		
530.904	r	(P-3003/91; A-2256)	1030.130	am	(P-12138)		
530.905	r	(P-3003/91; A-2256)	1070.20	am	(P-12138)		
530.906	r	(P-3003/91; A-2256)	1070.40	am	(P-15428/91; A-2172)		
530.907	r	(P-3003/91; A-2256)	1309.10	n	(P-15428/91; A-2172)		
530.908	r	(P-3003/91; A-2256)	1309.20	n	(P-3238; A-11827)		
530.909	r	(P-3003/91; A-2256)	1309.30	n	(P-3238; A-11827)		
530.910	n	(P-2940/91; A-2193)	1311.10	n	(P-3238; A-11827)		
700.10	n	(P-17235)	1440.20	am	(P-4195/91; W-2942)		
700.20	n	(P-17235)			(P-5139; A-13496)		

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